







Digitized by the Internet Archive  
in 2011 with funding from  
CARLI: Consortium of Academic and Research Libraries in Illinois







18.02  
LIQ  
23  
ue 25  
2



ILLINOIS DOCUMENTS

JUN 17 1999

ILLINOIS STATE LIBRARY

**1999**

# ***Illinois Register***

---

## **Rules of Governmental Agencies**

Volume 23, Issue 25 — June 18, 1999

Pages 6,990 – 7,182

---

Index Department  
Administrative Code Div.  
111 East Monroe Street  
Springfield, IL 62756  
(217) 782-7017  
<http://www.sos.state.il.us>

published by  
**Jesse White**  
Secretary of State



Printed on recycled paper

## TABLE OF CONTENTS

June 18, 1999 Volume 23, Issue 25

### PROPOSED RULES

EDUCATION, STATE BOARD OF	
Determining Special Education Per Capita Tuition Charge	
23 Ill. Adm. Code 130 .....	6990
INSURANCE, DEPARTMENT OF	
Required Procedure For Filing And Securing Approval Of Life Insurance, Annuity And Accident And Health Insurance, Voluntary Health Services Plans, Vision Service Plans, Dental Service Plans, Pharmaceutical Service Plans, Limited Health Service Organizations And Health Maintenance Organizations Policy Forms	
50 Ill. Adm. Code 916 .....	6999
LABOR, DEPARTMENT OF	
Health And Safety	
56 Ill. Adm. Code 350 .....	7043
PROFESSIONAL REGULATION, DEPARTMENT OF	
Illinois Physical Therapy Act	
68 Ill. Adm. Code 1340 .....	7053

### ADOPTED RULES

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF	
Pay Plan	
80 Ill. Adm. Code 310 .....	7065
Standard Procurement	
44 Ill. Adm. Code 1 .....	7075
EDUCATION, STATE BOARD OF	
Reading Improvement Program	
23 Ill. Adm. Code 260 .....	7083
HUMAN SERVICES, DEPARTMENT OF	
Temporary Assistance For Needy Families	
89 Ill. Adm. Code 112 .....	7091
PROFESSIONAL REGULATION, DEPARTMENT OF	
Illinois Certified Shorthand Reporters Act Of 1984	
68 Ill. Adm. Code 1200 .....	7102
PUBLIC AID, DEPARTMENT OF	
Hospital Services	
89 Ill. Adm. Code 148 .....	7115
Medical Payment	
89 Ill. Adm. Code 140 .....	7122

**NOTICE OF PUBLIC INFORMATION**

**REVENUE, DEPARTMENT OF**

Index Of Private Letter Rulings (1999 - 1st Quarter) (ROT) .....7149

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Agenda for Meeting of June 22, 1999 .....7174

Second Notices Received .....7182

**ISSUES INDEX I-1**

**Editor's Note:** The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April 16, 1999 - Issue 16: Through	March 31, 1999
July 16, 1999 - Issue 29: Through	June 30, 1999
October 15, 1999 - Issue 42: Through	September 30, 1999
January 14, 2000 - Issue 3: Through	December 31, 1999 (Annual)



## INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

## REGISTER PUBLICATION SCHEDULE 1999

Issue #	Copy Due by 4:30 p.m.	Publication Date	Issue #	Copy Due by 4:30 p.m.	Publication Date
Issue 1	December 21, 1998	January 4, 1999 *	Issue 28	June 28	July 9
Issue 2	December 28	January 8	Issue 29	July 6 ***	July 16
Issue 3	January 4, 1999	January 15	Issue 30	July 12	July 23
Issue 4	January 11	January 22	Issue 31	July 19	July 30
Issue 5	January 19	January 29	Issue 32	July 26	August 6
Issue 6	January 25	February 5	Issue 33	August 2	August 13
Issue 7	February 1	February 16	Issue 34	August 9	August 20
Issue 8	February 8	February 19 **	Issue 35	August 16	August 27
Issue 9	February 16 ***	February 26	Issue 36	August 23	September 3
Issue 10	February 22	March 5	Issue 37	August 30	September 10
Issue 11	March 1	March 12	Issue 38	September 7 ***	September 17
Issue 12	March 8	March 19	Issue 39	September 13	September 24
Issue 13	March 15	March 26	Issue 40	September 20	October 1
Issue 14	March 22	April 2	Issue 41	September 27	October 8
Issue 15	March 29	April 9	Issue 42	October 4	October 15
Issue 16	April 5	April 16	Issue 44	October 12 ***	October 22
Issue 17	April 12	April 23	Issue 43	October 18	October 29
Issue 18	April 19	April 30	Issue 44	October 25	November 5
Issue 19	April 26	May 7	Issue 45	November 1	November 12
Issue 20	May 3	May 14	Issue 46	November 8	November 19
Issue 21	May 10	May 21	Issue 47	November 15	November 29 *
Issue 22	May 17	May 28	Issue 48	November 22	December 3
Issue 23	May 24	June 4	Issue 49	November 29	December 10
Issue 24	June 1 ***	June 11	Issue 50	December 6	December 17
Issue 25	June 7	June 18	Issue 51	December 13	December 24
Issue 26	June 14	June 25	Issue 52	December 20	December 31
Issue 27	June 21	July 2	Issue 1	December 27	January 7, 2000

\* Monday following a state holiday.

\*\* Tuesday following a state holiday.

\*\*\* Since the state holiday is a Monday, the deadline is Noon on Tuesday.

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Determination of Special Education Per Capita Tuition Charge

2) Code Citation: 23 Ill. Adm. Code 130

3) Section Numbers: Proposed Action:

130.10 Amendment

130.30 Amendment

130.40 Amendment

130.45 Amendment

4) Statutory Authority: 105 ILCS 5/14-7.01

5) A Complete Description of the Subjects and Issues Involved: These amendments are being undertaken mainly for the purpose of fine-tuning the rules by adding some provisions that were overlooked years ago when they were first put in place. For example, staff have recognized that some legal and interest expenses are legitimate in connection with special education programs and that, in some cases, the cost of operation and maintenance is more correctly tied to the total square footage used than to classroom space. In the same vein, it seems clear that the depreciation threshold needs to be raised in acknowledgment of today's costs. Finally, the definition of "program" is being revised to underscore the reference to a specific set of services and activities. The rules also include numerous instances of updating and changes that are merely technical.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed rules contain incorporations by reference? The rules do not contain an incorporation by reference under Section 5-75 of the Illinois Administrative Procedure Act.

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a State mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Sally Voql  
Agency Rules Coordinator  
Illinois State Board of Education

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

100 North First Street  
Springfield, Illinois 62777  
(217) 782-3950

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: Claims for reimbursement must be completed as required by the rules; these amendments do not affect those requirements.

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1998

The full text of the Proposed Amendments begins on the next page:



STATE BOARD OF EDUCATION  
NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER 1: STATE BOARD OF EDUCATION  
SUBCHAPTER C: FINANCE

PART 130  
DETERMINING SPECIAL EDUCATION PER CAPITA TUITION CHARGE

Section  
130.10 Definitions  
130.20 Applicability  
130.30 Allowable Expenditures for Determining Per Capita Cost  
130.40 Expenditures Not Allowed in the Per Capita Cost  
130.45 Calculation of Individual Cost  
130.50 Tuition Billing

AUTHORITY: Implementing and authorized by Section 14-7.01 of the School Code [105 ILCS 5/14-7.01].

SOURCE: Adopted at 11 Ill. Reg. 5942, effective March 23, 1987; amended at 16 Ill. Reg. 9475, effective June 9, 1992; amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Section 130.10 Definitions

"Average Daily Attendance" - The number of full-time equivalent days a pupil is in attendance in a program divided by the number of days school is in session.

"Average Daily Enrollment" - For an individual pupil, the number of days a pupil is enrolled in a program divided by the number of days a program is in session, multiplied by the percentage of the school day the pupil participates in the program. For a program, the Average Daily Enrollment is the total of the Average Daily Enrollment figures for all students enrolled in it.

"District Per Capita Tuition Charge" - District expenditures (including allowable depreciation) associated with providing education during the regular school term from local taxes and common school fund monies, calculated by deducting revenues for various state categorical programs as shown on the district's annual financial statement filed in accordance with Section 3-15.1 of the School Code [105 ILCS 5/3-15.1], local user fees, and federal receipts, other than federal impact aid, from the operating expense; then dividing the result by the annual average daily attendance of the district.

"Exceptional Pupils" - All disabled **handicapped** pupils, ages three through 21, as defined in Sections 14-1.02 and 14-1.03a of the School

STATE BOARD OF EDUCATION  
NOTICE OF PROPOSED AMENDMENTS

Code [105 ILCS 5/14-1.02 and 14-1.03a] and in 23 Ill. Adm. Code 226 (Special Education).

"Local Education Agency" - A public educational agency at the local level which operates schools or contracts for educational services. This includes school districts, school districts providing services under a joint agreement pursuant to Section 10-22.31a of the School Code [105 ILCS 5/10-22.31a], educational service regions pursuant to Section 3A-1 of the School Code [105 ILCS 5/3A-1], educational service centers pursuant to Section 2-3.62 of the School Code [105 ILCS 5/2-3.62], and governing boards formed pursuant to Section 10-22.31 or Section 3-15.14 of the School Code [105 ILCS 5/10-22.31 or 3-15.14].

"Local Educational Facilities" - Buildings, including sites and site improvements, operated by a local education agency.

"Program" - Any combination of special education instructional services, supportive services, supplies, materials, physical plant adjustments, and other special educational facilities designated by a local education agency as constituting a specific special education program for purposes of this Part (e.g., behavior disorder, learning disabled, mentally impaired) which also conforms to the requirements set forth in Section 110.50(c)(11) of the program Accounting Manual (23 Ill. Adm. Code 110). A specific special education program shall not consist of the entire special education program and set of services provided by a local education agency.

"Special Education" - Those instructional programs, supportive services, supplies, materials, physical plant adjustments, and other special educational facilities described in Article 14 of the School Code [105 ILCS 5/Art. 14] and 23 Ill. Adm. Code 226 (Special Education), which modify, supplement, support, or are in place of the standard educational program of the public school, and which are needed to meet the needs of exceptional pupils.

"Special Educational Facility and Services" - For the purpose of this Part **these-registrations**, this term has the meaning given it **is-defined** as in Section 14-1.08 of the School Code [105 ILCS 5/14-1.08].

"Special Education Per Capita Cost" - The average expenditure per eligible pupil incurred by a local education agency in the implementation and maintenance of each special education program (e.g. behavior disorder, learning disabled, mentally impaired). Such per capita costs shall be computed by dividing the allowable program expenditures by the average daily enrollment of all eligible participating pupils in the manner prescribed in this Part these rules.



## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

"Special Education Pupil Transportation" - Those transportation services which are in addition to the regular pupil transportation services provided by the local education agency, and which are required and provided in accordance with the provisions of 23 Ill. Adm. Code 226 (Special Education).

"Special School" - An educational setting which is established by the local education agency exclusively to meet the needs of exceptional pupils.

"The School Code" - The School Code [105 ILCS 5] ~~++11--Rev--Stat-~~  
~~1989--Chr-127--Par-1-1-et-seq.~~

"Total Number of Pupils Enrolled" - The total enrollment of the local education agency for the school year, as reported to the State Board of Education on the Fall Enrollment and Housing Report.

"Total Number of Special Education Pupils Enrolled" - The total number of pupils reported to the State Board of Education as being enrolled in special education programs on December 1 of a particular year. For special education joint agreements and regional programs, this is the sum of all member districts' enrolled special education pupils as of December 1.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 130.30 Allowable Expenditures for Determining Per Capita Cost

- All local education agencies operating special educational facilities shall maintain evidence of their accountability for funds as prescribed in 23 Ill. Adm. Code 110 (Program Accounting Manual).
- Accounting dimensions used to record expenditures used in computing per capita costs shall minimally include fund, fiscal year, four-digit function number, and object. Functions and objects must correspond to and be traceable to the official budget and annual financial report of the local education agency.
- Expenditures for equipment necessary for the operation of a special educational facility either shall be included in the expenditures in the year of purchase, if the total cost is less than \$2500 \$4999, or shall be depreciated on a five-year schedule, if the total cost is \$2500 \$5999 or more. If equipment is purchased solely for the benefit of one pupil and billed in that manner, the district billed is the owner of the equipment.
- Per capita instructional costs recorded in functions 1201-1229 1203-1244-or-1229 shall be computed by dividing the allowable expenditures, minus individual student costs such as individual aids, by the average daily enrollment of the pupils served in the specific

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

special education program.

- Expenditures for pupil support services shall be recorded in the functional accounts 2110 (Attendance and Social Work Services), 2120 (Guidance Services) ~~2130--(Sectat--Work--Services)~~, 2130 (Health Services), 2140 (Psychological Services), 2150 (Speech Pathology and Audiology Services), 2210 (Improvement of Instruction), and 2220 (Educational Media Services) as specified in 23 Ill. Adm. Code 110 (Program Accounting Manual).

1) Expenditures in each functional area shall be separated as follows:

- All expenditures for specific special education programs;
  - All expenditures which are incurred in support of all exceptional pupils and which cannot be directly allocated to a specific special education program as required in subsection (e)(1)(A) of this Section ~~above~~; and
  - All expenditures which are incurred in support of the general pupil population, including exceptional pupils.
- Per capita pupil support services costs for a specific special education program shall be computed by dividing the allowable expenditures by the average daily enrollment of the pupils served in the program.
  - Per capita pupil support services costs incurred in support of all exceptional children shall be computed by dividing the allowable expenditures by the total number of special education pupils enrolled.
  - Per capita pupil support services costs incurred in support of the general pupil population shall be computed by dividing the allowable expenditures by the total number of pupils enrolled.
  - Expenditures for administrative services shall be recorded in the functional accounts 2310 ~~(Board of Education Services)~~, 2320 (Executive Administrative Services), 2330 (Special Area Administrative Services), 2410 (Office of the Principal Services), 2510 (Direction of Business Support Services), 2520 (Fiscal Services), 2570 (Internal Services), and 2600 (Support Services Central) as specified in 23 Ill. Adm. Code 110 (Program Accounting Manual) and shall be separated as follows:
    - Expenditures for special education administration;
    - Expenditures for general administration; and
    - Expenditures for special education administration for group programs operated under the provisions of Section 14-7.03 of the School Code [105 ILCS 5/14-7.03].
  - Per capita special education administration costs incurred in support of exceptional children shall be computed by dividing the allowable expenditures by the total number of special education pupils enrolled.
  - Per capita general administration costs incurred in support of the general pupil population shall be computed by dividing the allowable expenditures by the total number of pupils enrolled.
  - Operation and Maintenance

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

1) Expenditures for the operation and maintenance of district-owned buildings shall be allocated to each program according to the number of classrooms used and the average cost per classroom. The average cost per classroom shall be identified by dividing the total amount of expenditures for operations and maintenance, excluding capital outlay, by the total number of classrooms reported to the State Board of Education on the Facility Inventory Report.

2) If a privately owned building is used, the portion of the operation and maintenance costs attributable to a specific program shall be determined by dividing the square footage of the portion of the building so used by the square footage of the building or buildings for which operation and maintenance costs are incurred.

## j) Depreciation and Rent

1) Depreciation of physical facilities owned by the local education agency shall be calculated using the rate provided in Section 14-7.01 of the School Code [105 ICS 5/14-7.01]. The local education agency may not rent facilities from itself. The depreciation rate specified in Section 14-7.01(f) of the School Code must be applied to all owned facilities. Operations and maintenance costs for owned facilities may be claimed as provided in subsection (i) of this Section.

2) If the local educational facility is rented by the local education agency, the actual rent paid for the physical facilities is to be divided by the average daily enrollment of the pupils served within the facility. If the rented facility is used for both instructional and administrative functions, the square footage used for instruction shall be divided by the total square footage rented. The result of this division shall be multiplied by the rental fee paid to determine the portion of rent applicable to the program.

k) Interest paid for costs of operating a program approved pursuant to Section 14-7.03 of the School Code should be segregated in the accounts of the local agency and claimed in total. Per capita interest costs shall be computed by dividing the other interest expenditures recorded in function 5100, exclusive of but not including interest for capital expenditures, by either:

- 1) the total number of pupils enrolled, if the local education agency serves both special and regular education students; or
  - 2) the total number of special education pupils enrolled, if the local education agency serves only special education students.
- l) Twenty percent of the total cost incurred for special education pupil transportation, or such total cost minus reimbursement received during the current year from the State of Illinois under Section 14-13.01(b) of the School Code [105 ICS 5/14-13.01(b)], whichever is less, may be included in the computation of the per capita cost. However, for pupils claimed under Section 14-7.03 of the School Code, one hundred

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

percent of the transportation costs shall be included in the computation and not claimed for special education pupil transportation reimbursement.

m) Non-special education (i.e., regular) program costs charged to other districts must be calculated in accordance with Section 10-20.12a of the School Code [105 ICS 5/10-20.12a] and billed to the resident district of residence based on a percentage of the student's time spent in non-special education classes.

n) Social Security and Illinois Municipal Retirement Fund contributions by the employer; the amounts so recovered shall be returned to the fund(s) from which the expenditures were made.

o) Expenditures for liability insurance; the amounts so recovered shall be returned to the fund(s) from which the expenditures were made.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 130.40 Expenditures Not Allowed in the Per Capita Cost

a) Food service expenditures may not be claimed for reimbursement under Section 14-7.02a 14-7.02b(4) or 14-7.03 of the School Code [105 ICS 5/14-7.02a or 14-7.03], unless they are directly related to instructional methodology or techniques, for example in homemaking, cooking, or consumer education courses. However, food service expenditures may be billed to the district of residence of a pupil served.

b) Expenditures from revenue received from state reimbursement during the current year for special education personnel under Section 14-13.01 of the School Code, allocated to each program based on the number of positions in the program divided by the number of positions claimed for special education personnel reimbursement.

c) Expenditures which are reimbursed from federal sources, except for health care services; the amount of federal reimbursement for such services need not be deducted.

d) Expenditures for life-safety building improvements or asbestos abatement.

e) Expenditures classified (see 23 Ill. Adm. Code 110, Table D) as Capital Outlay (object code 500), except specialized equipment purchased for the specific special education program, which may be included based upon a depreciation schedule of five years.

f) Expenditures for purchased services (object code 300) other than those recorded in accounts 1201-1239 1241-1244-er-1246 (Instruction), 2113 (Social Work Services), 2130 (Health Services), 2140 (Psychological Services), 2150 (Speech Pathology and Audiology Services), 2210 (Improvement of Instruction), and 2220 (Educational Media Services), and 2540 (Operation and Maintenance).

g) Expenditures applicable to one student only.

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 130.45 Calculation of Individual Cost

- a) The individual cost for a specific special education pupil is the per capita cost of the specific special education program in which the pupil is enrolled plus the result of multiplying:
- 1) the serving district's per capita tuition rate as computed per Section 10-20.12a to 20.12d of the School Code, by
  - 2) the percentage of the school week the pupil spends in the regular education program, as stated in the pupil's individualized Education Program (IEP) at the time the pupil entered the specific special education program for the school year being billed or claimed, by
  - 3) the average daily enrollment of the pupil.
- b) When the local education agency providing educational services also provides special transportation services to the pupil, the serving local education agency may calculate the pupil's transportation cost and add this transportation cost to the tuition bill. These transportation costs, paid by the district of residence, may not be claimed by the serving local education agency under Section 14-13.01(b) of the School Code. The district of residence may claim 20 percent of the transportation cost for the pupil when the pupil's education costs are claimed for reimbursement under Section 14-7.02a to 14-7.02d of the School Code. However, if the pupil is claimed for reimbursement under Section 14-7.03 of the School Code, 100 percent of the transportation cost may be included.
- c) The individual costs not included in the per capita cost for the program may be included in the individual cost. These costs are limited to:
- 1) an individual aide for one or two pupils;
  - 2) special equipment for one individual pupil;
  - 3) specific, unique related services provided for a pupil which are not provided to other pupils in the program, which are not a part of the normal program service configuration, and whose costs are not included in the special education per capita cost for the program; and
  - 4) legal costs associated with students eligible, served, and claimed under Section 14-7.03 of the School Code.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Required Procedure for Filing and Securing Approval of Life Insurance, Annuity and Accident and Health Insurance, Voluntary Health Service Plans, Vision Service Plans, Dental Service Plans, Pharmaceutical Service Plans, Limited Health Service Organizations and Health Maintenance Organizations Policy Forms
- 2) Code Citation: 50 Ill. Adm. Code 916
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
916.10	Amendment
916.30	Amendment
916.40	Amendment
Exhibit A	Amendment
Exhibit B	Amendment
Exhibit C	Amendment
Exhibit G	New
Exhibit H	Renumbered, Amendment
Exhibit I	Renumbered, Amendment
Exhibit J	Renumbered, Amendment
- 4) Statutory Authority: Implementing Section 143 of the Illinois Insurance Code [215 ILCS 5/143] and Section 10 of the Voluntary Health Service Plans Act [215 ILCS 165/10] and Section 10 of the Vision Service Plan Act [215 ILCS 160/10] and Section 4003 of the Limited Health Service Organization Act [215 ILCS 130/4003] and Section 5-3 of the Health Maintenance Organization Act [215 ILCS 125/5-3] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

- 5) A Complete Description of the Subjects and Issues Involved: The Department is expanding Exhibit B to include new codes for various new products, we are deleting obsolete codes which will now be contained in new Exhibit C and we are also adding more specific product designations in some areas.

Beginning in July of the year 2000, the Department will also require companies to submit electronically all transmittal filing forms made pursuant to this Part. Until such time, electronic filing is optional for companies. During 1999 the Department will be working in conjunction with a small group of companies to test a software program we developed that will allow all companies to do electronic transmittal filings. In October of 1999, the Department will make available to all companies this software program along with instructions and the prescribed specifications companies will have to use to successfully make electronic filings with the Department.

In addition to the above substantive changes, the Department is also making a housekeeping change. P.A. 90-372 repealed the Pharmaceutical Service Plan Act, effective July 1, 1998, and as a result the Department







## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

**E- Instructions for completing the Informational Transmittal Sheet** are contained ~~also found~~ in Exhibit J of this Part ~~er-illustration-E~~. For informational filings which require a relationship, if ~~the~~ the filing and form numbers of the policies to which this information is related are not listed, the informational filing will not be processed.

**Matrix/Insert Page (MIP)** means the type of policy forms submitted for review with consideration given to each provision or individual policy. Each matrix insert page shall be identified with its own unique policy form number located in the lower left hand corner of the document. Each matrix insert page shall be associated to a policy or certificate. Optional endorsement riders (Type OER) and required endorsement riders (Type RER) shall not be made up of matrix insert pages.

**Optional Endorsement/Rider (OER)** means an endorsement which is not required by regulation or statute, and at the applicant's/insured's or insurer's option is attached to various policies. Optional endorsement riders (Type OER) shall not be made up of matrix insert pages or schedule pages. For purposes of completing the general transmittal sheet an OER is a policy form type and does not require an association record.

**Policy Form** means any form to be issued or delivered in the State of Illinois constituting in form and content a policy, group contract or certificate of insurance or evidence of coverage, endorsement, rider, by-law or other matter incorporated by reference, or application blank or discretionary group forms requiring the Director's approval pursuant to Section 230.2 and 367.3 of the Illinois Insurance Code [215 ILCS 5/230.2 and 367.3]. It does not include riders or endorsements issued or made at the request of the individual policyholder relating to the manner of distribution of benefits or to the reservation of rights and benefits under a life insurance policy. A policy form does not include any rider or endorsement made a part of a policy subsequent to the date the policy is issued and unilaterally reduces benefits; such riders or endorsements shall be reviewed and approved by the Director prior to their issuance or delivery pursuant to Section 143 of the Illinois Insurance Code [215 ILCS 5/143]. A General Transmittal ~~transmittal-sheet~~ is required to be submitted with all policy forms, including subsequently issued riders or endorsements.

**Replacement/Withdrawal Transmittal Sheet** means a coding blank to be completed when an approved policy form is being replaced, or when an approved policy form is no longer being issued. Instructions for completing the Replacement/Withdrawal Transmittal Sheet are contained found in Exhibit H of this Part ~~er-illustration-A~~.

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

**Required Endorsement/Rider (RER)** means an endorsement that incorporates a mandatory contract provision which is required by regulation or statute. Such RER shall be attached to a policy form either as a condition of approval or to incorporate new contract provisions. Required endorsement/riders (Type RER) shall not be made up of matrix insert pages.

**Required Informational Material (RIM)** includes, but is not limited to, those identified in 50 Ill. Adm. Code 1407.50 and 2012.60(f)(1) through (f)(3).

**Schedule Page(s) (SCP)** means a policy form which incorporates or changes the benefits or services covered by the policy and/or certificate or changes the maximums, deductibles, coinsurance or copays of the policy or certificate to which it is attached. When a multiple of different schedule pages is submitted for use with a single policy or certificate, each schedule page shall be identified with a unique form number. A filing fee is required for each schedule page.

**Subcode** means a detailed description of the policy form, found in Exhibit B of this Part.

Type means the characteristic of the policy form found in Exhibit B of this Part.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 916.40 Filing Procedures

- a) Effective July 1, 1996 and each July 1 thereafter, each company doing business in the State of Illinois shall submit a "Certification of Compliance" for all previously approved policy forms on file with the Department and for all policy form filings to be made during the next fiscal year. Every May a listing of approved policy forms on file with the State of Illinois will be provided to each company. Each company is responsible for withdrawing the policy forms included in this listing which the company is no longer issuing or marketing. However, policy forms which require related informational rate filings to be made should not be withdrawn. Each company will be responsible for certifying that the remaining policy forms either in use or being issued are in compliance by submitting the Certificate of Compliance found in Part-916-Exhibit A of this Part 459-311-Adm-Code-9166.
- b) Each company shall file with and secure the approval of the Director for each policy form before it is issued or delivered. Each policy form filing shall include:
  - 1) A letter of submission giving a detailed description of:



## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

- A) the purpose for the policy form and the manner in which it will be marketed;
- B) a cross referenced filing number for identical submissions made by affiliated companies;
- 2) The policy form(s) in duplicate;
- 3) A typewritten General Transmittal Sheet, as set forth in Exhibit G of this Part, ~~67-in-duplicate~~ identifying the company filing number and listing the policy form numbers. No later than July 1, 2000 all companies must electronically submit the General Transmittal to the Director for all filings made pursuant to this Part. Computer generated General Transmittals will replace hard copy filings and must meet the prescribed specifications set forth by the Director. Prior to July 1, 2000 computer generated General Transmittal filings are optional. All forms in such category shall be for the same line of business and the same category as found in Exhibit B. Also, identify the type, code, and subcode as set forth in Exhibit B of this Part. The transmittal sheets required for policy form filings shall be substantially similar to those set forth in Exhibits Exhibit G, H, I and J of this Part. Instructions for completing the General Transmittal Sheet and applying the category, type, code and subcode for each policy form are included in Exhibit G. A combination form shall be submitted as two separate filings. Each shall be identified by its own filing identification number.
- 4) The text of each policy form shall be made out in "John Doe" fashion, bracketing any appropriate variable material. The form number shall appear in the lower left-hand corner of the policy form to be approved, and shall not exceed 30 characters.
- 5) Resubmission of pending policy forms within a filing shall be submitted under their original "Filing Identification Number".
- c) Riders or endorsements which unilaterally reduce benefits, and are attached to a policy subsequent to the date the policy is issued, shall be reviewed and formally approved by the Director prior to their issuance or delivery and shall be submitted on a separate typewritten general transmittal sheet. A Certificate of Compliance is not applicable to these formally approved policy forms.
- d) Substitution of any new policy form for a form previously approved, where such new policy form bears the same form number as the previously approved form, shall be accompanied by a statement that the filing is a substitution and the number or identification of the previously approved form and the date of the previous approval together with advice that the previously approved policy form was never issued. Substitution filings shall be assigned their own filing identification number, and the substituted filing shall be withdrawn by completing a typewritten replacement/withdrawal transmittal sheet.
- e) Accident and health policy form filings written on an individual basis, Medicare supplement policy form filings and long-term care policy form filings shall be accompanied by an informational rate

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

- filing which provides a description of the classification of risks and the premium rates. Data demonstrating the calculation of the rates shall accompany each individual accident and health policy form as a separate informational filing. Subsequent rates shall be submitted as information on a typewritten informational transmittal sheet pursuant to subsection (3) below.
- f) Credit policy form filings shall be accompanied by a separate informational rate filing which provides a description of the classification of risks and the premium rates. Data demonstrating the calculation of the rates shall accompany each credit policy form as a separate informational filing. Subsequent credit rates shall be submitted on a typewritten informational transmittal sheet pursuant to subsection (3) below.
- g) An invoice will be mailed to the company by the Department for the required filing fee on a quarterly basis.
- h) Each Replacement/Withdrawal of a policy form shall include:
- 1) A letter of explanation.
  - 2) A typewritten Replacement/Withdrawal Transmittal Sheet, as set forth in Exhibit H of this Part ~~67-in-duplicate~~ **67-in-duplicate** listing the filing identification number and policy form number of the forms to be withdrawn. No later than July 1, 2000 all companies must electronically submit the Replacement/Withdrawal Transmittal to the Director when policy forms are to be withdrawn. Computer generated Replacement/Withdrawal Transmittals will replace hard copy filings and must meet prescribed specifications set forth by the Director. Prior to July 1, 2000 computer generated Replacement/Withdrawal Transmittal filings are optional.
  - 3) Each time a company's policy form will no longer be issued, it is the responsibility of the company to notify the Director of such action on the Replacement/Withdrawal Transmittal Sheet, ~~Exhibit G7-in-duplicate~~ **67-in-duplicate**. Instructions for completing the Replacement/Withdrawal Transmittal Sheet are contained found in Exhibit H of this Part ~~67-in-duplicate~~ **67-in-duplicate**.
  - 4) Each May a listing of approved policy forms on file with the State will be provided to each company. The purpose of this listing is to require the company to determine which policy forms should be withdrawn and to notify the Department each year of the policy forms in use by the company. The company will be responsible for returning the list by July 1st of each year withdrawing the policy forms which are no longer being issued or marketed. Instructions will accompany this listing.
  - 5) Accident and health policy forms written on an individual basis, Medicare supplement and long-term care policy forms which require premium rate filings may not be withdrawn.
- i) Each Certificate of Assumption submitted shall include:
- 1) A letter of submission;
  - 2) The assumption certificate in duplicate;

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

- 3) A typewritten Certificate of Assumption Transmittal, as set forth in Exhibit I of this Part ~~Sheet-in-duplicate~~ **Exhibit-E, Illustration-B**. No later than July 1, 2000, all companies must submit the Certificate of Assumption Transmittal electronically to the Director. Computer generated Certificate of Assumption Transmittals will replace hard copy filings and must meet prescribed specifications set forth by the Director. Prior to July 1, 2000, computer generated Certificate of Assumption Transmittal filings are optional. An assumption certificate will not be approved until the assumed policy forms are listed on the required transmittal ~~sheet~~. In instances where a ~~company--merges with another--or--where~~ a company assumes a block of business from another, the filing identification number is prefixed with the FEIN of the ceded company followed by a dash. Instructions for completing the Certificate of Assumption Transmittal Sheet are contained ~~found~~ in Exhibit I of this Part ~~E--Illustration-B~~. Each Informational Filing shall include:
- 1) A letter of submission;
  - 2) The informational material to be filed in duplicate;
  - 3) A typewritten Informational Transmittal, as set forth in Exhibit I of this Part ~~Sheet-in-duplicate~~. No later than July 1, 2000, all companies must electronically submit the Informational Transmittal to the Director. Computer generated Informational Transmittals will replace hard copy filings and must meet prescribed specifications set forth by the Director. Prior to July 1, 2000, computer generated Informational Transmittal filings are optional. Instructions for completing the Informational Transmittal Sheet are contained ~~found~~ in Exhibit I of this Part ~~E--Illustration-B~~.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

## Section 916. EXHIBIT A Certificate of Compliance

Each company shall as of July 1, 1996 and each July 1 thereafter submit a "Certificate of Compliance" in substantially this format.

## CERTIFICATION OF COMPLIANCE

(Company Name)

By: \_\_\_\_\_ Title: \_\_\_\_\_

## CERTIFICATION-OF-Compliance

-----~~(company--name)~~-----by-----~~(name)~~-----~~(title)~~-----  
does hereby certify that the policy form(s) as identified by either the Departmental listing attached hereto, or those filed by the Company during this fiscal year, do comply:

- a) with all provisions of the Illinois Insurance Code applicable to the policy forms; and
- b) with 50 Ill. Adm. Code; and does further certify to the best of our knowledge and belief that:
  - 1) the form(s) do not contain any inconsistent, ambiguous or misleading clauses;
  - 2) the form(s) do not contain specifications or conditions that unreasonably or deceptively affect the risk purported to be assumed in the general coverage of the policy form(s);
  - 3) the only variation from the usual provisions of the policy form(s) are clearly marked or otherwise indicated;
  - 4) the policy form language as submitted or approved shall be exactly as they have been or will be offered for issuance or delivery in the State of Illinois as approved by the Director, except for hypothetical data and other appropriate variable material; and
  - 5) the policy form(s) do not contain any provision or clause currently being disapproved by the Director.

In utilizing the procedure for policy form filing and approval set forth in Part 916 (Company Name) hereby expressly agrees and consents to a review, by the Director, to be made at any time, and further hereby expressly agrees and consents to the discontinuance by the company of future use of such approved policy form(s), 30 days from the date of mailing an order of withdrawal issued by the Director pursuant to Section 143(1) of the Illinois Insurance Code. The order shall set forth the reasons why such previously approved policy form(s) are violative of or contrary to the provisions of the Illinois Insurance Code or 50 Ill. Adm. Code. Each company shall have the

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

right to request a hearing within that 30 day period. Such request shall be made in writing to the Director. The order of withdrawal shall be stayed and the company shall be given a hearing under the provisions of Section 143(1), 401(c), 401.1, 402(2), 426 and 429 of the Illinois Insurance Code [215 ILCS 5/143(1), 401(c), 401.1, 402(2), 426 and 429] and 50 Ill. Adm. Code 2402 as may be applicable to determine:

- a) whether such policy form shall be disapproved, and
- b) whether further orders of the Director may be appropriate.

(Company Name)

By:

(Signature)

Title:

Date:

{company-Name}

By:

its-----{Officer-Title}

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Section 916.EXHIBIT B Coding Guide

LIFE

Category

Determine if the policy is a general, individual or group life policy form. With this information, determine the category.

GPL GENERAL PURPOSE LIFE  
GRL GROUP LIFE  
INL INDIVIDUAL LIFE

Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the policy form.

Policy Form Type

Is the policy form an application, a policy or certificate?

APP APPLICATION  
CER CERTIFICATE  
COP COMBINATION POLICY  
CPC COMBINATION POLICY CERTIFICATE  
OER OPTIONAL ENDORSEMENT/RIDER  
POC POLICY/CERTIFICATE  
POL POLICY

Attachment Type

Is the policy form an attachment type? Determine with which policy filing(s) and form(s) this attachment type will be associated.

ASC ASSUMPTION CERTIFICATE  
MIP MATRIX/INSERT PAGE  
RER REQUIRED ENDORSEMENT RIDER  
SCP SCHEDULE PAGE

Informational Type/No Related Policy Forms Required

What is the information to be submitted?

DSF DOMESTIC STATE FILING  
INP INFORMATIONAL POLICY  
OSA OTHER STATE APPROVAL  
POLJ POLICY JACKET



DEPARTMENT OF INSURANCE  
 NOTICE OF PROPOSED AMENDMENTS  
 RIM REQUIRED INFORMATIONAL MATERIAL  
 Informational Type/Related Forms Required  
 What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

CAL CALCULATIONS  
 CLI CERTIFICATION OF LIFE ILLUSTRATIONS  
 (50 ILL. ADM. CODE 1406)  
 DGI DISCRETIONARY GROUP INFORMATION  
 OOC OUTLINE OF COVERAGE  
 POJ POLICY JACKET  
 RAT RATE  
 RIM REQUIRED INFORMATIONAL MATERIAL  
 UII UNIVERSAL LIFE INFORMATION  
 VAA VARIABLE ACCOUNT ADVERTISING  
 VAM VARIABLE MATERIAL

Code  
 Choose the code that best identifies the policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form.

ACD ACCIDENTAL DEATH  
 ADD ACCIDENTAL DEATH AND DISMEMBERMENT  
 CLB CHILDRENS INSURANCE BENEFIT  
 CON CONVERSION  
 DII DISABILITY INCOME  
 EII EXTERNAL INTEREST INDEX  
 END ENDOWMENT  
 EXC EXCLUSION  
 FIB FAMILY INSURANCE BENEFIT  
 GUI GUARANTEED INSURABILITY  
 INL INDUSTRIAL LIFE  
 JTL JOINT TERM LIFE  
 JWL JOINT WHOLE LIFE  
 LAS LAST SURVIVOR  
 LEE LEGAL EXPENSE  
 LTP LONG TERM (PARTNERSHIP)  
 LTT LONG TERM (TRADITIONAL)  
 MOI MORTGAGE INSURANCE  
 PAYOR PAYOR WAIVER  
 SIB SPOUSE INSURANCE BENEFIT  
 SPD SPECIFIED DISEASE  
 SUB SUPPLEMENTAL BENEFIT  
 TEI TERMINAL ILLNESS

DEPARTMENT OF INSURANCE  
 NOTICE OF PROPOSED AMENDMENTS  
 RIM REQUIRED INFORMATIONAL MATERIAL  
 Informational Type/Related Forms Required  
 What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

CAL CALCULATIONS  
 CLI CERTIFICATION OF LIFE ILLUSTRATIONS  
 (50 ILL. ADM. CODE 1406)  
 DGI DISCRETIONARY GROUP INFORMATION  
 OOC OUTLINE OF COVERAGE  
 POJ POLICY JACKET  
 RAT RATE  
 RIM REQUIRED INFORMATIONAL MATERIAL  
 UII UNIVERSAL LIFE INFORMATION  
 VAA VARIABLE ACCOUNT ADVERTISING  
 VAM VARIABLE MATERIAL

Code  
 Choose the code that best identifies the policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form.

ACD ACCIDENTAL DEATH  
 ADD ACCIDENTAL DEATH AND DISMEMBERMENT  
 CLB CHILDRENS INSURANCE BENEFIT  
 CON CONVERSION  
 DII DISABILITY INCOME  
 EII EXTERNAL INTEREST INDEX  
 END ENDOWMENT  
 EXC EXCLUSION  
 FIB FAMILY INSURANCE BENEFIT  
 GUI GUARANTEED INSURABILITY  
 INL INDUSTRIAL LIFE  
 JTL JOINT TERM LIFE  
 JWL JOINT WHOLE LIFE  
 LAS LAST SURVIVOR  
 LEE LEGAL EXPENSE  
 LTP LONG TERM (PARTNERSHIP)  
 LTT LONG TERM (TRADITIONAL)  
 MOI MORTGAGE INSURANCE  
 PAYOR PAYOR WAIVER  
 SIB SPOUSE INSURANCE BENEFIT  
 SPD SPECIFIED DISEASE  
 SUB SUPPLEMENTAL BENEFIT  
 TEI TERMINAL ILLNESS

DEPARTMENT OF INSURANCE  
 NOTICE OF PROPOSED AMENDMENTS  
 RIM REQUIRED INFORMATIONAL MATERIAL  
 Informational Type/Related Forms Required  
 What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

CAL CALCULATIONS  
 CLI CERTIFICATION OF LIFE ILLUSTRATIONS  
 (50 ILL. ADM. CODE 1406)  
 DGI DISCRETIONARY GROUP INFORMATION  
 OOC OUTLINE OF COVERAGE  
 POJ POLICY JACKET  
 RAT RATE  
 RIM REQUIRED INFORMATIONAL MATERIAL  
 UII UNIVERSAL LIFE INFORMATION  
 VAA VARIABLE ACCOUNT ADVERTISING  
 VAM VARIABLE MATERIAL

Code  
 Choose the code that best identifies the policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form.

ACD ACCIDENTAL DEATH  
 ADD ACCIDENTAL DEATH AND DISMEMBERMENT  
 CLB CHILDRENS INSURANCE BENEFIT  
 CON CONVERSION  
 DII DISABILITY INCOME  
 EII EXTERNAL INTEREST INDEX  
 END ENDOWMENT  
 EXC EXCLUSION  
 FIB FAMILY INSURANCE BENEFIT  
 GUI GUARANTEED INSURABILITY  
 INL INDUSTRIAL LIFE  
 JTL JOINT TERM LIFE  
 JWL JOINT WHOLE LIFE  
 LAS LAST SURVIVOR  
 LEE LEGAL EXPENSE  
 LTP LONG TERM (PARTNERSHIP)  
 LTT LONG TERM (TRADITIONAL)  
 MOI MORTGAGE INSURANCE  
 PAYOR PAYOR WAIVER  
 SIB SPOUSE INSURANCE BENEFIT  
 SPD SPECIFIED DISEASE  
 SUB SUPPLEMENTAL BENEFIT  
 TEI TERMINAL ILLNESS

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

INA INDIVIDUAL ANNUITY  
GPN GENERAL PURPOSE ANNUITY

## Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the policy form.

## Policy Form Type

Is the policy form an application, a policy or certificate?

APP APPLICATION  
CER CERTIFICATE  
OER OPTIONAL ENDORSEMENT/RIDER  
POC POLICY/CERTIFICATE  
POL POLICY

## Attachment Type

Is the policy form an attachment type? Determine with which policy filing(s) and form(s) this attachment type will be associated.

ASC ASSUMPTION CERTIFICATE  
MIP MATRIX/INSERT PAGE  
RER REQUIRED ENDORSEMENT RIDER  
SCP SCHEDULE PAGE

## Informational Type/No Related Policy Forms Required

What is the type of information to be submitted?

DSF DOMESTIC STATE FILING  
INP INFORMATIONAL POLICY  
OSA OTHER STATE APPROVAL  
POL POLICY JACKET  
VAA VARIABLE ACCOUNT ADVERTISING

## Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

VAM VARIABLE MATERIAL

## Code

Choose the code that best identifies the policy form filing. Two codes may be

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form.

FIP FIXED PREMIUM  
FLP FLEXIBLE PREMIUM  
SIP SINGLE PREMIUM  
SUB SUPPLEMENTAL BENEFIT

## Subcode

The purpose of the subcode is to describe the code in more detail. Three subcodes are allowed for each policy form filing. If a subcode does not apply, it is not required.

DEF DEFERRED  
DII DUAL INTEREST INDEXED  
EII EXTERNAL INTEREST INDEXED  
IMM IMMEDIATE  
INS INTEREST SENSITIVE  
SCB SINGLE CASE BASIS  
VAR VARIABLE

## CREDIT

## Category

First, determine if the policy form is an individual or group policy form. Second, determine if the policy form is a credit accident and health or credit life policy form. With this information, determine the category.

GCA GROUP CREDIT ACCIDENT AND HEALTH  
GCL GROUP CREDIT LIFE  
ICL INDIVIDUAL CREDIT LIFE  
ICA INDIVIDUAL CREDIT ACCIDENT AND HEALTH

## Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the policy form.

## Policy Form Type

Is the policy form an application, a policy or certificate?

APP APPLICATION  
CER CERTIFICATE  
COP COMBINATION POLICY  
CPC COMBINATION POLICY CERTIFICATE

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

OER OPTIONAL ENDORSEMENT/RIDER  
 POC POLICY/CERTIFICATE  
 POL POLICY

## Attachment Type

Is the policy form an attachment type? Determine with which policy filing(s) and form(s) this attachment type will be associated.

ASC ASSUMPTION CERTIFICATE  
 MIP MATRIX/INSERT PAGE  
 RER REQUIRED ENDORSEMENT/RIDER  
 SCP SCHEDULE PAGE

## Informational Type/No Related Policy Forms Required

What is the type of information to be submitted?

DSF DOMESTIC STATE FILING  
 INP INFORMATIONAL POLICY  
 OSA OTHER STATE APPROVAL  
 POJ POLICY JACKET  
 RIM REQUIRED INFORMATIONAL APPROVAL

## Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

CAL CALCULATIONS  
 RAT RATE  
 RIM REQUIRED INFORMATIONAL MATERIAL  
 VAM VARIABLE MATERIAL

## Code

Choose the code that best identifies the policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form.

DEB DECREASING BENEFIT  
 LEB LEVEL BENEFIT  
 MOB MONTHLY OUTSTANDING BENEFIT  
 SUB SUPPLEMENTAL BENEFIT

## Subcode

The purpose of the subcode is to describe the code in more detail. Three

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

CPB CRITICAL PERIOD BENEFIT  
 LEP LEVEL PREMIUM  
 MOP MONTHLY OUTSTANDING PREMIUM  
 NOB NONSTANDARD BENEFIT  
 SIP SINGLE PREMIUM  
 TPB TRUNCATED BENEFIT

## ACCIDENT AND HEALTH

## Category

Determine if the policy form is general purpose, individual or group. With this information, determine the category.

GAH GROUP A&H  
 GFA GENERAL PURPOSE A&H  
 IAH INDIVIDUAL A&H

## Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the policy form.

## Policy Form Type

Is the policy form an application, a policy or certificate?

APP APPLICATION  
 CER CERTIFICATE  
 COP COMBINATION POLICY  
 CPC COMBINATION POLICY CERTIFICATE  
 OER OPTIONAL ENDORSEMENT/RIDER  
 POC POLICY/CERTIFICATE  
 POL POLICY

## Attachment Type

Is the policy form an attachment type? Determine with which policy filing(s) and form(s) this attachment type will be associated.

ASC ASSUMPTION CERTIFICATE  
 MIP MATRIX/INSERT PAGE  
 RER REQUIRED ENDORSEMENT/RIDER  
 SCP SCHEDULE PAGE



## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

## Informational Type/No Related Policy Forms Required

What is the type of information to be submitted?

ADV ADVERTISING  
DSF DOMESTIC STATE FILING  
IEP INFORMATIONAL EXCESS POLICY  
INP INFORMATIONAL POLICY  
NET NETWORK  
OSA OTHER STATE APPROVAL  
POJ POLICY JACKET  
RIM REQUIRED INFORMATIONAL MATERIAL

## Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

ADV ADVERTISING  
CAL CALCULATIONS  
DCI DISCRETIONARY GROUP INFORMATION  
NET NETWORK  
OOC OUTLINE OF COVERAGE  
RATE RATE  
VAM VARIABLE MATERIAL  
RIM REQUIRED INFORMATIONAL MATERIAL

## Code

Choose the code that best identifies the policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form.

ACO ACCIDENT ONLY  
ADD ACCIDENTAL DEATH AND DISMEMBERMENT  
AMC AMBULANCE COVERAGE  
BLA BLANKET  
CAN CANCER  
COM COMPREHENSIVE MEDICAL  
CON CONVERSION  
CUS CUSTODIAL  
DEN DENTAL  
DII DISABILITY INCOME  
EXC EXCLUSION  
EXE EXCESS  
HHC HOME HEALTH CARE  
HOI HOSPITAL INDEMNITY

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

HSM HOSPITAL/SURGICAL MEDICAL  
LEE LEGAL EXPENSE  
LTP LONG TERM (PARTNERSHIP)  
LTT LONG TERM (TRADITIONAL)  
MAM MAJOR MEDICAL

MAT MATERNITY  
MES MEDICARE SUPPLEMENT  
MSA MEDICARE SUPPLEMENT - PLAN A  
MSB MEDICARE SUPPLEMENT - PLAN B  
MSC MEDICARE SUPPLEMENT - PLAN C  
MSD MEDICARE SUPPLEMENT - PLAN D  
MSE MEDICARE SUPPLEMENT - PLAN E  
MSF MEDICARE SUPPLEMENT - PLAN F  
MSG MEDICARE SUPPLEMENT - PLAN G  
MSH MEDICARE SUPPLEMENT - PLAN H  
MSI MEDICARE SUPPLEMENT - PLAN I  
MSJ MEDICARE SUPPLEMENT - PLAN J  
MOI MORTGAGE INSURANCE  
NHC NURSING HOME CARE  
PHC PHARMACEUTICAL COVERAGE  
SCS SCHOOL COVERAGE/STUDENTS  
SNF SKILLED NURSING FACILITY  
SPD SPECIFIED DISEASE  
STL STOP LOSS  
SUB SUPPLEMENTAL BENEFIT  
TRA TRAVEL ACCIDENT  
VIC VISION COVERAGE  
WOP WAIVER OF PREMIUM

## Subcode

The purpose of the subcode is to describe the code in more detail, and/or the type of policy being issued, i.e., Discretionary Group, Association, M.E.T., etc. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

ASS ASSOCIATION  
COP COMPOSITE PREMIUM  
DIG DISCRETIONARY GROUP  
DUO DUAL OPTION  
FRA FRANCHISES  
GUR GUARANTEED RENEWABLE  
HDE HIGH DEDUCTIBLE MED. SUPP. - PLAN F  
HDJ HIGH DEDUCTIBLE MED. SUPP. - PLAN J  
HGR HIPAA GUARANTEED RENEWABLE (INDIVIDUAL)  
HIP HEALTH INSURANCE PORTABILITY HIPAA (GROUP)  
LIB LIMITED BENEFIT

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

MED MEDICAL SAVINGS ACCOUNT  
 WFT M.E.T.  
 MOP MONTHLY PREMIUM  
 NON NONCANCELLABLE  
 OPR OPTIONALLY RENEWABLE  
 POS POINT OF SERVICE  
 PPA PREFERRED PROVIDER ARRANGEMENT  
 SPS SMALL EMPLOYER GROUP  
 t245-t26S-5/95tB-1-5T-S80t+  
 SEP SMALL EMPLOYER PORTABLE  
 (215 ILCS 95/1 ET SEQ.)  
 SCB SINGLE CASE BASIS  
 TEP TERM PREMIUM  
 TWE TRUST/M.E.W.A.

## SERVICE ORGANIZATIONS

## Category

First, determine if the policy form is an individual or group policy form. Second, determine whether the submission is being made by a service organization, a health maintenance organization, or a limited health service organization. With this information, determine the category.

GHM GROUP HEALTH MAINTENANCE ORGANIZATION  
 GLH GROUP LIMITED HEALTH SERVICE ORGANIZATION  
 GPH GENERAL PURPOSE HEALTH MAINTENANCE ORGANIZATION  
 GPF GENERAL PURPOSE LIMITED HEALTH SERVICE ORGANIZATION  
 GFS GENERAL PURPOSE SERVICE ORGANIZATION  
 GSO GROUP SERVICE ORGANIZATION  
 IHM INDIVIDUAL HEALTH MAINTENANCE ORGANIZATION  
 ILH INDIVIDUAL LIMITED HEALTH SERVICE ORGANIZATION  
 ISO INDIVIDUAL SERVICE ORGANIZATION

## Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the policy form.

## Policy Form Type

Is the policy form an application, a policy or certificate?

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

APP APPLICATION  
 CER CERTIFICATE  
 IDC IDENTIFICATION CARD  
 MEH MEMBER HANDBOOK  
 OER OPTIONAL ENDORSEMENT/RIDER  
 POC POLICY/CERTIFICATE  
 POL POLICY  
 OER OPTIONAL ENDORSEMENT/RIDER

## Attachment Type

Is the policy form an attachment type? Determine with which policy filing(s) and form(s) this attachment type will be associated.

ASC ASSUMPTION CERTIFICATE  
 MIP MATRIX/INSERT PAGE  
 RER REQUIRED ENDORSEMENT/RIDER  
 SCP SCHEDULE PAGE

## Informational Type/No Related Policy Forms Required

What is the type of information to be submitted?

ADV ADVERTISING  
 ASO ADMINISTRATIVE SERVICE ONLY  
 FBH FEDERAL BENEFIT BROCHURE  
 GRP GRIEVANCE PROCEDURES  
 MHM MEDICARE INFORMATIONAL MATERIAL  
 NET NETWORK  
 POJ POLICY JACKET  
 RIM REQUIRED INFORMATIONAL MATERIAL

## Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

NET NETWORK  
 RAT RATE  
 RIM REQUIRED INFORMATIONAL MATERIAL  
 VAM VARIABLE MATERIAL

## Code

Choose the code that best identifies the policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form filing.

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

AMC AMBULANCE COVERAGE  
 BHC BASIC HEALTH COVERAGE  
 BOP BASIC OUTPATIENT PREVENTIVE (CHILDREN)  
 CLL CLINICAL LABORATORY  
 CON CONVERSION  
 DEN DENTAL  
 EXC EXCLUSION  
 MEB MEB-CARB  
 MES MEDICARE SUPPLEMENT  
 MSA MEDICARE SUPPLEMENT - PLAN A  
 MSB MEDICARE SUPPLEMENT - PLAN B  
 MSC MEDICARE SUPPLEMENT - PLAN C  
 MSD MEDICARE SUPPLEMENT - PLAN D  
 MSE MEDICARE SUPPLEMENT - PLAN E  
 MSF MEDICARE SUPPLEMENT - PLAN F  
 MSG MEDICARE SUPPLEMENT - PLAN G  
 MSH MEDICARE SUPPLEMENT - PLAN H  
 MSI MEDICARE SUPPLEMENT - PLAN I  
 MSJ MEDICARE SUPPLEMENT - PLAN J  
 PHC PHARMACEUTICAL COVERAGE  
 POD PODIATRIC COVERAGE  
 SUP SUPPLEMENTAL BENEFIT  
 VIC VISION COVERAGE

## Subcode

The purpose of the subcode is to describe the code in more detail, and/or the type of policy being issued, i.e., Discretionary Group, Association, M.E.T., etc. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

ASS ASSOCIATION  
 CMP COMPETITIVE MARKETING PLAN  
 CQC COST CONTRACT  
 DIG DISCRETIONARY GROUP  
 DUO DUAL OPTION  
 HCP HEALTH CARE PREPAYMENT PLAN  
 HGR HIPAA GUARANTEED RENEWABLE (INDIVIDUAL)  
 HIP HEALTH INSURANCE PORTABILITY HIP  
 (GROUP)  
 KID KIDCARE  
 MET M.E.T.  
 PAB PUBLIC AID BENEFITS  
 POS POINT OF SERVICE  
 PPA PREFERRED PROVIDER ARRANGEMENT  
 RIC RISK CONTRACT  
 SEP SMALL EMPLOYER PORTABLE  
 [215 ILCS 95/4-BB-SBQ]

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

SCB SINGLE CASE BASIS  
 SOI STATE OF ILLINOIS  
 TWE TRUST/W.E.W.A.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

Section 916, EXHIBIT C Discontinued Acronyms From Exhibit B Coding Guide  
General Transmittal Instructions and Transmittal Sheet

The following acronyms have been deleted from the Coding Guide found in Exhibit B of this Part. These abbreviations can no longer be used for new policy form filings. However, they may still appear on your annual listing of previously approved policy forms as noted in Section 916.40(h)(4) of this Part.

## Category

SEO SERVICE ORGANIZATION  
LHS LIMITED HEALTH SERVICE ORGANIZATION

## Subcode

SEG SMALL EMPLOYER GROUP  
[215 ICS 5/351B-1 ET SEQ.]

The information provided on the general transmittal must be typewritten.

- 1) Company Name
- 2) Company Contact Person Mailing Address
- 3) Company FEIN--Federal Employer Identification Number
- 4) Company Filing Number--Number used to distinguish this policy form filing from any other policy form filing submitted to the Department for approval or withdrawal. This number is limited to 15 characters. Do not use blank spaces in filing numbers. Blank spaces will be ignored. When withdrawing a pending filing from further consideration, the Company Filing Number for the withdrawal filing shall be the same as the Company Filing Number assigned when the filing was originally submitted.
- 5) Company Contact Person--The individual's name who is most familiar with this form filing.
- 6) Contact Person Phone Number--Telephone number of Contact Person.
- 7) Electronic Mail Identification Number--Where available.
- 8) Submit Date--Date filing is sent to Department.
- 9) New Policy Forms

A) SEQ--#--Sequence number--is used to facilitate future retrieval of microfilm forms at the Department. This number identifies the physical placement of a form within a filing. The sequence number shall follow the physical order of forms within a filing.

- B) New Policy Form #--Identification in the lower-left hand corner of policy form being submitted. This number is limited to 30 characters. Do not use blank spaces when identifying a policy form. Blank spaces will be ignored.
- C) Category--The classification of the policy form taken from the Coding Guide (Exhibit B of this Part). Note that every

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

form in the filing must be for the same category. Category Gbty--GPA--and--SPN--apply only to applications and endorsements.

- B) Type--The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Note: For purposes of completing this transmittal sheet, an optional endorsement rider (type ORR) is considered a policy form.

- B) Code--The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.

- P) Subcode--A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part) (if only one subcode applies, then leave the space blank; if a subcode does not apply, leave the space blank).

- G) PYN--Indicate if the policy form is Participating or Non-Participating by placing a P or an N in the blank. If the term is not applicable, leave the space blank.

Note: When submitting more policy forms than the transmittal sheet will allow, continue completing the same section on an additional form including the information in items one through eight and the appropriate page number.

- 10) New Attachments (Type RRR) Required Endorsement Rider (Type MRP) Matrix/Insert Page (Type SGP) Schedule Page to be added to every Policy Form listed in Section 9 and/or Section 11. A Required Endorsement Rider is one which is required by statute or Administrative Code and shall be attached to the policy as a condition for approval or to incorporate new contract provisions if the attachments do not associate to all policy forms listed in Section 9 and/or Section 11. Those attachments shall be submitted on a separate transmittal sheet.

A) SEQ--#--Sequence number--is used to facilitate future retrieval of forms by this Department. This number identifies the physical placement of a form within a filing. The sequence number shall follow the physical order of forms within a filing.

- B) New Attachment Form #--Identification in the lower-left hand corner of policy form being submitted. This number is limited to 30 characters. Do not use blank spaces when identifying a policy form.

- C) Category--The classification of the policy form taken from the Coding Guide (Exhibit B of this Part).
- B) Type--The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part).
- B) Code--The descriptive abbreviation of the policy form taken

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

from the Coding Guide (Exhibit B of this Part). Choose one or two codes which best fit the general term of your policy form filling. If a code does not apply, leave the space blank.

- F) Subcode --- A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part) if only one subcode applies; then leave the other spaces blank; if a subcode does not apply, leave the space blank.

Notes: When submitting more policy forms than the transmittal sheet will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number.

iii) Attachments added to previously approved policy form:

- A) Previously Approved Piling # --- If the attachment in Section 10 (Type-MIP), (Type-RER) or (Type-GSP) is to be added to a previously approved policy form, list the original filing number of that policy form filing here.

Notes: If forms are acquired through a merger or assumption certificate, use the original filing number prefixed with the PEIN of the original company followed by a dash.

- B) Previously Approved Policy Form # --- Identification of the previously approved policy form shall be listed here.

Notes: When submitting more policy forms than the transmittal sheet will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number.

- 12) Previously Approved Attachments --- If these attachments will be issued with the new policy form listed in Section 9, list here. These attachments include required endorsements (Type-RER) or matrix/insert pages (Type-MIP) or schedule pages (Type-GSP).

- A) Previously Approved Attachment Piling # --- The original filing number of the policy form to be maintained as an attachment.

- B) Previously Approved Attachment Form # --- Identification of the policy form to be maintained as an attachment to the policy listed in Section 9.

Notes: When submitting more policy forms than the transmittal sheet will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

Section 916. EXHIBIT G. General Transmittal Instructions and Transmittal

The information provided on the general transmittal must be typewritten.

- 1) Company Name.
- 2) Company Contact Person Mailing Address.
- 3) C/O - Name of outside firm responsible for filing.
- 4) Company PEIN - Federal Employer Identification Number.

- A) Company Filing Number - Number used to distinguish this policy form filing from any other policy form filing submitted to the Department for approval or withdrawal. This number is limited to 15 characters. Do not use blank spaces in filing numbers. When withdrawing a pending filing from further consideration, the company filing number for the withdrawal filing shall be the same as the company filing number assigned when the filing was originally submitted. Blank spaces will be ignored.

- B) Filing Category - The classification of the policy form filing taken from the Coding Guide (Exhibit B of this Part). Note that every form in the filing must be for the same category. Category: GPL, GPN, GPA, GPI and GPS apply only to applications and endorsements.

- 5) Company Contact Person - The individual's name who is most familiar with this form filing.

- 6) Contact Person Phone Number - Telephone number of Contact Person.

- 7) Electronic Mail Identification Number where available.

- 8) Submittal Date - Date filing is sent to Department.

- 9) New Policy Forms

- A) SQ # - Sequence number is used to facilitate future retrieval of microfilmed forms at the Department. This number identifies the physical placement of a form within a filing. The sequence number shall follow the physical order of forms within a filing.

- B) New Policy Form # - Identification in the lower left hand corner of policy form being submitted. This number is limited to 30 characters. Do not use blank spaces when identifying a policy form. Blank spaces will be ignored.

- C) Type - The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Note: For purposes of completing this transmittal, an optional endorsement/rider (Type ORR) is considered a policy form.

- D) Code - The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.

- E) Subcode - A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

Part) (if only one subcode applies, then leave the other spaces blank; if a subcode does not apply, leave the space blank).

- F) P/N - Indicate if the policy form is Participating or Non-Participating by placing a P or an N in the blank. If the term is not applicable, leave the space blank.

Note: Prior to July 1, 2000, when submitting more policy forms than the transmittal will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number. As of July 1, 2000, the electronic process will allow any number of policy forms to be reported per Section.

- 10) New Attachments (Type RER) Required Endorsement/Rider, (Type MIP/Insert Page, (Type SCP) Schedule Page) to be added to every Policy Form listed in Section 9 and/or Section 11. A Required Endorsement/Rider is one which is required by statute or Administrative Code and shall be attached to the policy as a condition for approval or to incorporate new contract provisions. If the attachments do not associate to all policy forms listed in Section 9 and/or 11, those attachments shall be submitted on a separate transmittal.

- A) Seq # - Sequence number is used to facilitate future retrieval of forms by this Department. This number identifies the physical placement of a form within a filing. The sequence number shall follow the physical order of forms within a filing.

- B) New Attachment Form # - Identification in the lower left-hand corner of policy form being submitted. This number is limited to 30 characters. Do not use blank spaces when identifying a policy form.

- C) Type - The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part).

- D) Code - The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.

- E) Subcode - A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part) (if only one subcode applies, then leave the other spaces blank; if a subcode does not apply, leave the space blank).

Note: Prior to July 1, 2000, when submitting more policy forms than the transmittal will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number. As of July 1, 2000, the electronic process will allow any number of policy forms to be reported per Section.

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

- 11) Attachments added to previously approved Policy Form.

- A) Previously Approved Filing # - If the attachment in Section 10 (Type MIP), (Type RER) or (Type SCP) is to be added to a previously approved policy form, list the original filing number of that policy form filing here.

Note: If forms are acquired through a merger or assumption certificate, use the original filing number prefixed with the FEIN of the original company followed by a dash.

- B) Previously Approved Policy Form # - Identification of the previously approved policy form shall be listed here. Note: When submitting more policy forms than the transmittal will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number.

- 12) Previously Approved Attachments - If these attachments will be issued with the new policy form listed in Section 9, list here. These attachments include required endorsements (Type RER) or matrix/insert pages (Type MIP) or schedule pages (Type SCP).

- A) Previously Approved Attachment Filing # - The original filing number of the policy form to be maintained as an attachment.

- B) Previously Approved Attachment Form # - Identification for the policy form to be maintained as an attachment to the policy listed in Section 9.

Note: Prior to July 1, 2000, when submitting more policy forms than the transmittal will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number. As of July 1, 2000, the electronic process will allow any number of policy forms to be reported per Section.

- 13) Previously Approved Informational Filing - If a previously approved informational filing is to be related to the new policy forms in Section 9 or Section 10, list that Informational filing number here.



## ILLINOIS REGISTER

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

Page 01

GENERAL TRANSMITTAL SHEET

- 1) COMPANY NAME \_\_\_\_\_
- 2) COMPANY CONTACT PERSON MAILING ADDRESS \_\_\_\_\_  
C/O \_\_\_\_\_
- STREET \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_
- 3) COMPANY FEIN (\_\_\_\_\_) COMPANY FILING NUMBER (\_\_\_\_\_) \_\_\_\_\_
- 4) FILING CATEGORY \_\_\_\_\_
- 5) COMPANY CONTACT PERSON \_\_\_\_\_
- 6) CONTACT PERSON PHONE NUMBER \_\_\_\_\_
- 7) ELECTRONIC MAIL ID # \_\_\_\_\_
- 8) SUBMITTAL DATE \_\_\_\_\_
- NEW POLICY FORMS

-For Department Use Only-

[illegible]

10) **NEW ATTACHMENTS (Required Endorsement/Rider (Type RER), Matrix/Insert Page (Type MIP), Schedule Page (Type SCP))** to be added to every Policy Form listed in Section 9 and/or Section 11. A Required Endorsement/Rider is one which is required by statute or shall be attached to the policy as a condition for approval or to incorporate new contract provisions.

[illegible]

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

**Section 916. EXHIBIT H - HANSEN - A Replacement/Withdrawal Transmittal Instructions and Transmittal Sheet**

The information provided on the replacement/withdrawal transmittal must be typewritten.

- 1) Company Name.
- 2) Company Contact Person Mailing Address.  
C/O - Name of outside firm responsible for filing.
- 3) Company FEIN - Federal Employer Identification Number.
- 4) Company Filing Number - Number used to distinguish this policy form withdrawal filing from any other policy form withdrawal filing submitted to Illinois. This number is limited to 15 characters. Do not use blank spaces in filing numbers. Blank spaces will be ignored.
- 5) Company Contact Person - The individual's name who is most familiar with this filing.
- 6) Contact Person Phone Number - Telephone number of Contact Person.
- 7) Electronic Mail Identification Number where available.
- 8) Submittal Date - Date Replacement/Withdrawal is sent to Department.
- 9) A withdrawn form is considered to be a previously approved form which will no longer be issued in the State of Illinois, or a policy form which has been substituted.
  - A) Company Filing # - The number identifying the filing to be withdrawn when originally submitted. Do not use blank spaces in filing numbers.
  - B) Policy Form # - The identification of the policy form you wish withdrawn. Do not use blank spaces when identifying policy numbers.

Note: The effective date of withdrawal is the date this request is processed at the Department.

Note: Prior to July 1, 2000, when submitting more policy forms than the transmittal sheet will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number. As of July 1, 2000, the electronic process will allow any number of policy forms to be reported per section.

Note: For withdrawals without replacement, your company will be required to notify the Department of which policy forms are still in use. Such notification must be made at the end of the fiscal year. Each May listing of approved policy forms on file with the State of Illinois will be provided to your company. Your company will be responsible for withdrawing the policy forms included on this annual listing which you are no longer issuing and for certifying that the remaining policy forms either in use or being

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

issued are in compliance by submitting a certificate of compliance found in Exhibit A of this Part.





## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

## Section 916. EXHIBIT I - ASSUMPTION CERTIFICATE OF Assumption Transmittal Instructions and Transmittal Sheet

The information provided on the assumption transmittal must be typewritten.

- 1) Assuming Company Name.
- 2) Assuming Company Contact Person Mailing Address.  
C/O - Name of outside firm responsible for filing.
- 3) Assuming Company FEIN - Federal Employer Identification Number.
- 4) Assuming Company Filing Number - Number used to distinguish this policy form filing from any other policy form filing submitted to Illinois for approval. Do not use blank spaces in filing numbers.
- 5) Assuming Company Contact Person - The individual's name who is most familiar with this filing.
- 6) Contact Person Phone Number - Telephone number of Contact Person.
- 7) Electronic Mail Identification Number where available.
- 8) Ceding Company Name.
- 9) Ceding Company FEIN - Federal Employer Identification Number.
- 10) Submittal Date - Date Assumption Transmittal is sent to the Department.
- 11) Assumption Certificate

A) Policy Form # - Identification in the lower left-hand corner of policy form being submitted. Only one Assumption Certificate is allowed per transmittal. Do not use blank spaces when identifying a policy form.

B) Category - The classification of the policy form taken from the coding guide (Exhibit B of this Part).

C) Type - The characteristic abbreviation "ASC" taken from the coding guide (Exhibit B of this Part).

- 12) Previously approved ceding company filing number and policy form # affected by the Assumption Certificate. Do not use blank spaces in filing numbers or when identifying policy forms.
- Note: Assumption certificates will not be approved until the list of assumed policy forms is listed on the required transmittal sheet.

Note: Prior to July 1, 2000, when submitting more policy forms than the transmittal sheet will allow, continue completing the same section on an additional form, including the information in items one through ten and the appropriate page number. As of July 1, 2000, the electronic process will allow any number of policy forms to be reported per Section.

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

## CERTIFICATE OF ASSUMPTION TRANSMITTAL SHEET

Page \_\_\_\_\_ of \_\_\_\_\_

- 1) ASSUMING COMPANY NAME \_\_\_\_\_
- 2) ASSUMING COMPANY CONTACT PERSON MAILING ADDRESS  
C/O \_\_\_\_\_ STREET \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_
- 3) ASSUMING COMPANY FEIN \_\_\_\_\_
- 4) ASSUMING COMPANY FILING NUMBER \_\_\_\_\_
- 5) ASSUMING COMPANY CONTACT PERSON \_\_\_\_\_
- 6) CONTACT PERSON PHONE NUMBER \_\_\_\_\_
- 7) ELECTRONIC MAIL ID # \_\_\_\_\_
- 8) CEDING COMPANY NAME \_\_\_\_\_
- 9) CEDING COMPANY FEIN \_\_\_\_\_
- 10) SUBMITTAL DATE \_\_\_\_\_
- 11) ASSUMPTION CERTIFICATE  
A) POLICY FORM # \_\_\_\_\_  
B) CAT \_\_\_\_\_  
C) TYPE ASC \_\_\_\_\_

404  
-POLICY FORM # - (b) - (c)  
CAT TYPE: - - - - - ASC

- 12) Previously Approved Policy Forms Affected by Assumption Certificate

CEDING COMPANY FILING # \_\_\_\_\_  
CEDING POLICY FORM # \_\_\_\_\_

-For Department Use Only-

(Source: Renumbered from Section 916 Exhibit C, Illustration B and amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

(Source: Renumbered from Exhibit C, Illustration B and amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

Section 916, EXHIBIT J ~~HEADSTRAPION~~ --e Informational Filing Transmittal  
Instructions and Transmittal Sheet

The information provided on the informational transmittal must be typewritten.

- 1) Company Name.
- 2) Company Contact Person Mailing Address.  
c/o - Name of outside firm responsible for filing.
- 3) Company FEIN - Federal Employer Identification Number.
- 4) Informational Filings:
  - A) Company Filing # - Number used to distinguish this informational filing from any other filing submitted to Illinois for filing. This number is limited to 15 characters. Do not use blank spaces in filing numbers. Blank spaces will be ignored.
  - B) Category - The classification of the policy form taken from the coding guide (Exhibit B of this Part).
  - C) Information Type - The characteristic abbreviation of the Informational Type taken from the Coding Guide (Exhibit B of this Part).
- 54) Company Contact Person - The individual's name who is most familiar with this informational filing.
- 65) Contact Person Phone Number - Telephone number of Contact Person.
- 76) Electronic Mail Identification Number where available.
- 87) Submittal Date - Date Informational Transmittal is sent to the Department.

## 8) Informational Filings:

- A) Company Filing # - Number used to distinguish this informational filing from any other filing submitted to Illinois for filing. This number is limited to 15 characters. Do not use blank spaces in filing numbers. Blank spaces will be ignored.
- B) Category - The classification of the policy form taken from the coding guide (Exhibit B of this Part).
- C) Informational Type - The characteristic abbreviation of the Informational Type taken from the Coding Guide (Exhibit B of this Part). If no related forms are required, as disclosed in Exhibit B of this Part, the transmittal is complete. If related forms are required, the following items must be completed:
  - B) Related - Previously Approved Filing # - Number used for previously approved filing form for which this informational filing relates.
  - B) Related - Previously Approved Form # - Identification of the previously approved policy form to which this information relates must be listed here.Note: If the related previously approved filing # and form # are not listed on this transmittal, the informational

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

fitting-with-not-be-processed-

Note: Only one informational fitting can be made per transmittal sheet.

RECEIVED

o related forms are required, as disclosed in Exhibit B of Part, the transmittal is complete. If related forms are required, the following items must be completed.

Related Previously Approved Filing # - Number used for previously approved/ filed form for which this informational filing relates.

Related Previously Approved Form # - Identification of the previously approved policy form to which this information relates must be listed here.

Note: If the related previously approved filing # and form # are not listed on this transmittal, the informational filing will not be processed.

Note: Only one informational filing can be made per transmittal.

Note: Prior to July 1, 2000, when submitting more policy forms than the transmittal will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate package number. As of July 1, 2000, the electronic process will allow any number of policy forms to be reported per Section.

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

Page \_\_\_\_ of \_\_\_\_

## INFORMATIONAL TRANSMITTAL SHEET

- 1) COMPANY NAME \_\_\_\_\_  
2) COMPANY CONTACT PERSON MAILING ADDRESS \_\_\_\_\_  
C/O \_\_\_\_\_  
STREET \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
CITY \_\_\_\_\_  
3) COMPANY FEIN \_\_\_\_\_  
4a) COMPANY FILING NUMBER \_\_\_\_\_  
b) FILING CATEGORY \_\_\_\_\_  
c) INFORMATIONAL TYPE \_\_\_\_\_  
4-b) COMPANY CONTACT PERSON \_\_\_\_\_  
CONTACT PERSON PHONE NUMBER \_\_\_\_\_  
4-c) ELECTRONIC MAIL ID # \_\_\_\_\_  
4-d) SUBMITTAL DATE \_\_\_\_\_  
5) INFORMATIONAL FILING: - \_\_\_\_\_

3 COMPANY FILING #1

by -CATEGORY- [---]

Q: INFORMATION TYPE- [ ]

99A) -d- RELATED PREVIOUSLY  
APPROVED EILING #

9B) ~~to~~ RELATED PREVIOUSLY  
APPROVED FORM #

-For Department Use Only-

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

(Source: Renumbered from Exhibit C, Illustration C and amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Health and Safety

2) Code Citation: 56 Ill. Adm. Code 350

3) Section Numbers: Proposed Action:  
350.280 Amendment

4) Statutory Authority: Implementing and authorized by the Safety Inspection and Education Act (SIEA) [820 ILCS 220], and the Health and Safety Act (HSA) [820 ILCS 225].

5) A Complete Description of the Subjects and Issues Involved: HSA Section 4(d) requires the Illinois Department of Labor (IDOL) to adopt all federal occupational safety and health standards (OSH rules) the U.S. Secretary of Labor promulgates, modifies or revokes, within 60 days of their effective date unless the State already has in place alternative rules that are at least as effective as the OSH rules. Since 1985, IDOL has incorporated by reference all final OSH rules published in 29 CFR 1910, 1915 and 1926. IDOL most recently adopted the three final OSH rules the U.S. Secretary of Labor promulgated, modified, or revoked in 29 CFR 1910, 1915 and 1926 between January 1997 and January 1998.

This proposed rulemaking incorporates by reference the eight final OSH rules the U.S. Secretary of Labor promulgated, modified, or revoked in 29 CFR 1910, 1915 and 1926 between January 1998 and January 1998. IDOL adopts OSH rules rather than promulgating alternative standards to ensure that: (1) public sector workers have the same level of protection afforded to private sector workers within the State of Illinois, and (2) Illinois' public sector employers benefit from the elimination, updating, or clarification of the OSH rules IDOL previously adopted.

a) FR 63:1919 Scaffolds 1/13/1998

SUMMARY: The rulemaking corrects the inadvertent omission of the heading for 29 CFR 1926.454. There is no financial impact.

EFFECTIVE DATE: January 13, 1998

b) FR 63:3813-3814 Safety Standards for Scaffolds Used in the Construction Industry (Aerial Lifts) 1/27/1998

SUMMARY: The rulemaking announced the effective date of the provision for manufacturer certification of "field modified" aerial lifts codified as amended at 29 CFR 1926.453(a)(2). There is no financial impact. IDOL incorporated the standard by reference at 21 Ill. Reg. 12850 (Sept. 19, 1997) (codified as amended at 56 Ill. Adm. Code 350.280(a)).



## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENTS

EFFECTIVE DATE: January 27, 1998

- c) FR 63-20098-20099 Respiratory Protection; Correction 4/23/1998

SUMMARY: The rulemaking corrected technical and typographic errors in the regulatory text of the respiratory protection standard codified as amended at 29 CFR 1910.134. There is no financial impact. IDOL incorporated the standard by reference at 23 Ill. Reg. 3993, 3993-94 (Apr. 2, 1999) (codified as amended at 56 Ill. Adm. Code 350.280 (a)).

EFFECTIVE DATE: April 23, 1998

- d) FR 63-33450-33469 Standards Improvement (Miscellaneous Changes). For General Industry and Construction Standards; Paperwork Collection for Coke Oven Emissions and Inorganic Arsenic; Final Rule 6/16/1998

SUMMARY: The rulemaking is a part of OSHA's line-by-line review of standards IDOL previously incorporated by reference. Specifically, the rule revises provisions contained in 29 CFR 1910 and 1926 that are out of date, duplicative, unnecessary, or inconsistent. The changes include: (1) reducing the frequency of required chest x-rays and eliminating sputum-cytology examinations for workers covered by the coke oven and inorganic arsenic standards; (2) changing the emergency-response provisions of the vinyl chloride standard; (3) eliminating the public safety provisions of the temporary labor camp standard; and (4) eliminating unnecessary cross-references in the textile industry standards. OSHA estimates the changes will result in annualized savings for employers of over \$9,600,000 and in reduced paperwork burden of 6,600 hours annually.

EFFECTIVE DATE: August 17, 1998

- e) FR 63-35137-35138 Occupational Exposure to Asbestos 6/29/1998

SUMMARY: The rulemaking revises construction and shipyard standards IDOL previously incorporated by reference. Specifically, the rulemaking amends 29 CFR 1915.1001 and 1926.1101 to conform the standards for construction and shipyards regulating asbestos-containing roof cements, mastics and coatings with the U.S. Circuit Court of Appeals decision in *Asbestos Information Association/North America v. Reich*, 117 F. 3d 891 (5th Cir., July 24, 1997). There is no fiscal impact.

EFFECTIVE DATE: July 24, 1997

- f) FR 63-50711-50732 Methylene Chloride; Final Rule 9/22/1998

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENTS

SUMMARY: The rulemaking amends the standard regulating occupational exposure to methylene chloride (MC) codified as amended at 29 CFR 1910.1052. IDOL incorporated the standard by reference at 21 Ill. Reg. 12850 (Sept. 19, 1997) (codified as amended at 56 Ill. Adm. Code 350.280(a)).

The rule modifies the medical surveillance provisions by providing limited medical removal protection (MRP) benefits for employees. As background, the standard provides medical surveillance to employees exposed to MC above permissible limits or during emergencies. Such surveillance includes medical and work history emphasizing neurological symptoms, skin conditions, history of hematologic or liver disease, signs or symptoms suggesting heart disease, MC exposure, work practices, and personal protective equipment used during such exposure. MRP benefits are designed to remove an economic disincentive to employee participation in surveillance programs -- a worker's perception that s/he could lose his/her livelihood if the surveillance shows s/he should be removed from his/her present job or have his/her work activities restricted. Under the amendment, the employer must either transfer the employee to comparable work where MC exposure is below the action level or remove the employee from MC exposure. In either scenario, the employer must provide MRP benefits to the employee by maintaining, for up to six months, the employee's earnings, seniority, and other employment rights and benefits as though the employee had not been removed from MC exposure or transferred to a comparable job.

The rule also amends the start-up date for employers to achieve the permissible MC exposure limit. It further extends the compliance dates for implementing engineering controls and respiratory protection.

OSHA estimates MRP related costs to be \$920,387 per year for all affected employers. MRP related costs will have the greatest impact (0.3 percent of profits) on small furniture stripping firms. Paying employees for time away from work will be the largest part of such costs. OSHA estimates the cost savings effect resulting from it postponing the implementation dates to be \$960,000 per year for the affected employers.

EFFECTIVE DATE: October 22, 1998, except the revision of section 1910.1052(n)(2) (regarding start-up dates) became effective September 22, 1998.

g) FR 63-66018-66040 Permit-Required Confined Spaces; Final Rule 12/1/1998

SUMMARY: The rulemaking amends the standard on permit-required

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENTS

confined spaces (permit spaces) codified as amended at 29 CFR 1910.146. IDOL incorporated the standard by reference at 18 Ill. Reg. 14724 (Sept. 30, 1994) (codified as amended at 56 Ill. Adm. Code 350.280 (a)).

A confined space is a space with limited or restricted means of entry or exit that is large enough for an employee to enter and perform assigned work, and is not designed for continuous occupancy by the employee. Such a space includes underground vaults, tanks, storage bins, pits, diked areas, and silos. A permit-required confined space is a confined space that has one or more of the following characteristics: (1) contains or has the potential to contain a hazardous atmosphere; (2) contains a material that has the potential for engulfing an entrant; (3) has an internal configuration that might cause an entrant to be trapped or asphyxiated by inwardly converging walls or by a floor that slopes downward and tapers to a smaller cross section; and/or (4) contains any other recognized serious safety or health hazards.

The rule: (1) enhances employee participation in the employer's permit space program; (2) provides authorized permit space entrants or their authorized representatives with the opportunity to observe any testing or monitoring of permit spaces; and (3) strengthens and clarifies the criteria employers must satisfy when preparing for the timely rescue of incapacitated permit space entrants. OSHA estimates the total cost for implementing the amended rule to be \$5.8 million annually. This assumes the worst case scenario that employers currently do not allow employees to observe testing and monitoring. OSHA states the costs do not exceed .006 percent of sales or more than .08 percent of profits for small entities potentially affected by the revisions.

Allowing employees to observe the testing and monitoring of permit spaces will provide safer confined space entry. Nationally, approximately 6 fatalities occur each year that could be prevented if proper monitoring was assured in all cases of permit space entry.

EFFECTIVE DATE: February 1, 1999

h) FR 63166238-66274 Powered Industrial Truck Operator Training: Final Rule 12/1/1998

SUMMARY: The rulemaking revises requirements IDOL previously incorporated by reference for powered industrial truck operator training codified as amended at 29 CFR 1910.178(l). It also provides new requirements to improve operator training. The provisions apply to general industry, construction, shipyards, marine terminals, and longshoring operations where trucks are used, except agricultural

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENTS

operations. Job-related accidents involving forklifts and other industrial trucks are one of the leading causes of workplace deaths in industrial settings. OSHA states the rule will avert 11 deaths and 9,422 injuries per year which will result in direct cost savings of \$83 million per year. This includes savings in medical costs, value of lost output, and savings in administrative costs of workers' compensation.

Implementation costs should be negligible. At issue is an employer's cost for training industrial truck operators. IDOL significantly reduces such costs by providing free training to the State of Illinois and its political subdivisions.

EFFECTIVE DATE: March 1, 1999

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. The proposed rule incorporates the eight final OSH rules located in 29 CFR 1910, 1915 and 1925, the U.S. Secretary of Labor promulgated, modified, or revoked between January 1998 and January 1999. It does not include any later amendments or editions.

- 9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: The proposal affects the State of Illinois and its political subdivisions. See SIERA [820 ILCS 220/2(a)]; HSA [820 ILCS 225/2]; 56 Ill. Adm. Code 350.20(b). See also AFSCME v. Bernardi, Case No. 85 Ch. 11947 (Cook County Cir. Ct., May 25, 1985) (commanding IDOL to include units of local government within the regulatory definition of "employer").

Costs associated with compliance are related to correcting work site safety and health hazards. They will have a direct and positive impact within the public sector work force.

The public sector will realize savings resulting from fewer workplace injuries and occupational diseases, lower replacement employee costs, and increased employee productivity due to fewer lost work days and a healthier work force.

Section 4(e) of the HSA, and the rules thereunder at 56 Ill. Adm. Code 350.190, allow public sector employers to petition for variance from standards when compliance cannot be achieved because of factors beyond their control.

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENTS

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be submitted, within 45 days of this notice, to:

Tamara Tanzillo, Deputy Director  
Illinois Department of Labor  
160 North LaSalle Street, Suite C-1300  
Chicago, Illinois 60601  
(312) 793-1612

A public hearing is scheduled on:

Monday, August 2, 1999, at 1:00 P.M.  
Illinois Department of Labor  
160 North LaSalle Street, Suite C-1300  
Chicago, Illinois 60601

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses or municipalities affected: Private employers are not affected by the proposed rulemaking. For the effective on municipalities see #10 above.

B) Reporting, bookkeeping, or other procedures required by compliance: None. Instead, the proposed incorporations by reference of the improvements and miscellaneous changes in OSH rules discussed in paragraph 5(d) will result in annualized savings for employers and reduced paperwork burden.

C) Types of professional skills necessary for compliance: General administrative skills are sufficient for compliance with the proposed amendments.

- 13) Regulatory Agenda on which this rulemaking was summarized: July 1998

The full text of the Proposed Amendments begins on the next page:

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT  
CHAPTER I: DEPARTMENT OF LABOR  
SUBCHAPTER b: REGULATION OF WORKING CONDITIONS

## PART 350

## HEALTH AND SAFETY

## SUBPART A: INSPECTIONS AND CITATIONS

Section	Purpose and Scope
350.10	Definitions
350.20	Posting of Notice
350.30	Availability of Rules and Standards
350.40	Inspection Authority
350.50	Advance Notice of Inspection
350.60	Conduct of Inspections
350.70	Closing Conferences
350.80	Representatives of Employers and Employees
350.90	Objections During Inspection
350.100	Trade Secrets or Confidential Information
350.110	Consultation with Employees
350.120	Complaints by Employees
350.130	Imminent Danger
350.140	Citations
350.150	Posting of Citations
350.160	Appeal of Citation
350.170	Appeal of Abatement Period
350.180	Petition for Variance from Standards
350.190	Hearings
350.195	Advisory Inspections
350.200	

## SUBPART B: RECORDS OF INJURIES AND ILLNESSES

Section	Emergency Notification
350.210	Recordable Injuries and Illnesses
350.220	Log of Injuries and Illnesses
350.230	Supplementary Record of Injuries and Illnesses
350.240	Annual Summary
350.250	Retention of Records
350.260	Access to Records
350.270	

## SUBPART C: FEDERAL STANDARDS

Section	Adoption of Federal Standards
350.280	

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENTS

**AUTHORITY:** Implementing and authorized by the Safety Inspection and Education Act [820 ILCS 220] and the Health and Safety Act [820 ILCS 225].

**SOURCE:** Emergency rules adopted at 9 Ill. Reg. 17004, effective October 17, 1985, for a maximum of 150 days; adopted at 10 Ill. Reg. 8765, effective May 14, 1986; amended at 11 Ill. Reg. 2798, effective January 28, 1987; amended at 12 Ill. Reg. 17086, effective October 11, 1988; amended at 16 Ill. Reg. 8518, effective May 26, 1992; amended at 17 Ill. Reg. 1074, effective January 19, 1993; emergency amendment at 17 Ill. Reg. 7072, effective April 27, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 14724, effective September 15, 1994; amended at 19 Ill. Reg. 11923, effective August 7, 1995; amended at 20 Ill. Reg. 7419, effective May 10, 1996; amended at 21 Ill. Reg. 12850, effective September 4, 1997; amended at 23 Ill. Reg. 3993, effective October 1, 1999; amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART C: FEDERAL STANDARDS

## Section 350.280 Adoption of Federal Standards

## a) Incorporations

1) Pursuant to Section 4 of the Health and Safety Act, the Department hereby adopts by reference the general health and safety standards and special maritime and construction industry standards adopted by the federal Occupational Safety and Health Administration as effective March 14, 1999 and amended at FR63:1919; FR63:3813; FR63:20098; FR63:33450; FR63:351371; FR63:50711; FR63:66018; FR63:66238 April 9-1999 and amended at FR63:1159; FR62:49019; end--PW62-40142. These standards are located at 29 CFR 1910, 1915, and 1926 and do not include any later amendments or editions.

2) The following interpretations of 29 CFR 1910.134, Respiratory Protection Standard (1996, no later amendments or editions) are incorporated into this Part. Where specific reference is made, and that reference incorporates material by reference, the material incorporated is a part of this Part and shall be that which is effective as indicated, not including any later amendments or editions. Copies are available at the Department's Chicago office. Copies of the federal Occupational Safety and Health Administration material may also be obtained at <<http://www.osha-slc.gov/SLTC/respiratoryprotection/index.html>>.

Preamble: Respiratory Protection; Final Rule, 63 Fed. Reg. 1152 (Jan. 8, 1998).

Questions & Answers on the Respiratory Protection Standard, OSHA Memorandum (Aug. 17, 1998).

Inspection Procedure for the Respiratory Protection Standard, CPL

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENTS

2-0.120 (Sept. 18, 1998).

Small Entity Compliance Guide for the Revised Respiratory Protection Standard, OSHA Directorate of Health Standards Programs (Sept. 30, 1998).

Illinois Fire Chiefs Association - A Guideline on OSHA's 1998 Update of Its 1971 Respiratory Protection Standard (March 9, 1999).

3) The following interpretation of 29 CFR 1910 and 1926 Standards Improvement (Miscellaneous Changes) For General Industry and Construction (Miscellaneous Changes) Paperwork Collection for Coke Oven Emissions and Inorganic Arsenic (1998, no later amendments or editions), 29 CFR 1915 and 1926 Occupational Exposure to Asbestos (1998, no later amendments or editions), 29 CFR 1910 Methylene Chloride (1998, no later amendments or editions), 29 CFR 1910 Permit-Required Confined Spaces (1998, no later amendments or editions), 29 CFR 1910, 1915, 1917, 1918, and 1926 Powered Industrial Truck Operator Training (1999, no later amendments or editions), are incorporated into this Part. Copies are available at the Department's Chicago office. Copies may also be obtained at <<http://www.osha.gov/comp-links.html>>.

Preamble: Standards Improvement (Miscellaneous Changes) For General Industry and Construction Standards; Paperwork Collection for Coke Oven Emissions and Inorganic Arsenic; Final Rule, 63 Fed. Reg. 33450 (June 18, 1998).

Preamble: Occupational Exposure to Asbestos, 63 Fed. Reg. 35137 (June 29, 1998).

Preamble: Methylene Chloride; Final Rule, 63 Fed. Reg. 50711 (Sept. 22, 1998).

Preamble: Permit-Required Confined Spaces; Final Rule, 63 Fed. Reg. 66018 (Dec. 1, 1998).

Preamble: Powered Industrial Truck Operator Training; Final Rule, 63 Fed. Reg. 66238 (Dec. 1, 1998).

b) The Department shall consider any subsequent amendments to the health and safety standards adopted by the federal Occupational Safety and Health Administration. Such amendments will be adopted by reference, or substitute provisions which provide equivalent protection will be adopted. Amendments will be adopted through filing with the Secretary of State and publication in the Illinois Register as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS



## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENTS

- 100/5-40].
- c) The Department hereby adopts as a rule of the Department, through incorporation by reference, 29 CFR Part 1910.1030, Occupational Exposure to Bloodborne Pathogens (1991, no later amendments or editions). The dates listed in paragraph (i) of 29 CFR Part 1910.1030 are not applicable to Illinois public sector employers. The effective date (paragraph (i)(1) of the adopted standard) for the Illinois public sector shall be the effective date of this amendment, as published in the Illinois Register. The compliance date for paragraph (i)(2) of the adopted standard shall be 30 days after the effective date, the date for paragraph (i)(3) shall be 60 days after the effective date, and the date for paragraph (i)(4) shall be 90 days after the effective date.
- d) The effective dates for 29 CFR 1910.119(e)(1)(i), (ii), (iii), and (iv), which establish timelines for hazard analyses for hazardous materials, are one, two, three, and four years, respectively, after August 1, 1994.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Illinois Physical Therapy Act

2) Code Citation: 68 Ill. Adm. Code 1340

3) Section Numbers: Proposed Action:

1340.20 Amendment  
1340.30 Amendment  
1340.50 Amendment  
1340.60 Amendment  
1340.65 Amendment

4) Statutory Authority: Illinois Physical Therapy Act [225 ILCS 90]

5) A Complete Description of the Subjects and Issues Involved: Section 1340.20 specifies that no course in which an applicant received lower than a C will be accepted for professional coursework, and specifies that foreign graduates must have their degrees validated by the Foreign Credentialing Commission on Physical Therapy (FCCPT). Sections 1340.30 and 1340.50 both make provisions for those individuals required to pass the Test of English as a Foreign Language (TOEFL), for scoring either the paper-based or computer-based test. In Section 1340.60, restoration applicants required to complete clinical training must get it approved by the Committee prior to starting the training. Section 1340.65 incorporates the Code of Ethics of the American Physical Therapy Association into this Part.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? Yes

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation  
Attention: Jean A. Courtney  
320 West Washington, 3rd Floor  
Springfield IL 62786  
217/785-0813 Fax #: 217/782-7645

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENT(S)

All written comments received within 45 days of this issue of the *Illinois Register* will be considered.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Those providing physical therapy services.

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: Physical therapy skills are necessary for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: January 1999

The full text of the Proposed Amendments begins on the next page:

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED RULES

## SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

## PART 1340

## ILLINOIS PHYSICAL THERAPY ACT

Section	Application for Licensure Under Section 8.1 of the Act (Grandfather) (Repealed)
1340.15	
1340.20	Approved Curriculum
1340.30	Application for Licensure on the Basis of Examination
1340.40	Examination
1340.50	Endorsement
1340.55	Renewals
1340.60	Restoration
1340.65	Unprofessional Conduct
1340.66	Advertising
1340.70	Granting Variances

**AUTHORITY:** Implementing the Illinois Physical Therapy Act [225 ILCS 90] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

**SOURCE:** Adopted at 5 Ill. Reg. 6500, effective June 3, 1981; codified at 5 Ill. Reg. 11048; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 9 Ill. Reg. 1906, effective January 28, 1985; recodified from Chapter I, 68 Ill. Adm. Code 340 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1340 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2959; amended at 12 Ill. Reg. 8030, effective April 25, 1988; amended at 15 Ill. Reg. 5254, effective March 29, 1991; emergency amendment at 15 Ill. Reg. 11503, effective July 30, 1991, for a maximum of 150 days; emergency expired December 27, 1991; amended at 16 Ill. Reg. 3175, effective February 18, 1992; amended at 17 Ill. Reg. 14606, effective August 27, 1993; amended at 20 Ill. Reg. 10678, effective July 26, 1996; amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 1340.20 Approved Curriculum**

- a) The Department shall, upon the recommendation of the Physical Therapy Licensing and Disciplinary Committee (the Committee), approve an applicant's physical therapy curriculum if it meets the following minimum criteria:

1) The school from which the applicant was graduated:

- A) Is legally recognized and authorized by the jurisdiction in

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENT(S)

- which it is located to confer a physical therapy degree; and
- B) Has a faculty that comprises a sufficient number of full-time instructors to make certain that the educational obligations to the student are fulfilled. The faculty must have demonstrated competence as evidenced by appropriate degrees in their area(s) of teaching from professional colleges or institutions; and
- C) Maintains permanent student records that summarize the credentials for admission, attendance, grades and other records of performance.
- 2) The applicant's curriculum shall have a minimum of 120 semester hours which shall include a minimum of 50 semester hours credit in general education and at least the following subject areas in professional education (57-61 semester hours required):

- A) Basic Health Sciences
- i) Anatomy
  - ii) Physiology
  - iii) Pathology
  - iv) Kinesiology
  - v) Neurology
- B) Clinical Sciences to include, but not limited to the major areas of:

- i) Medicine
- ii) Surgery
- iii) Physical therapy theory and application including therapeutic exercise, evaluation procedures physical agents, mechanical modalities, electrotherapy, massage, orthotics and prosthetics, and professional issues

- C) Clinical Education - a minimum of 800 clock hours.
- 3) No course in which the applicant received a grade lower than a C will be accepted for professional coursework.

- b) The Department shall, upon the recommendation of the Committee, approve an applicant's physical therapist assistant curriculum if it meets the following minimum criteria:

- 1) The school from which the applicant was graduated:
  - A) Is legally recognized and authorized by the jurisdiction in which it is located to offer a 2 year physical therapist assistant curriculum;
  - B) Has a faculty that comprises a sufficient number of full-time instructors to make certain that the educational obligations to the student are fulfilled. The faculty must have demonstrated competence as evidenced by appropriate degrees in their area(s) of teaching from professional colleges or institutions;
  - C) Maintains permanent student records that summarize the credentials for admission, attendance, grades and other

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENT(S)

- records of performance.
- 2) The applicant's curriculum includes at least the following subject areas in professional education (29-31 semester hours required):
- A) Basic Health Sciences
    - i) Anatomy and physiology
    - ii) Pathology
    - iii) Psychology
    - iv) Kinesiology
  - B) Clinical Sciences to include, but not be limited to, the major areas of:
    - i) Medicine and surgery
    - ii) Physical therapist assistant theory and application, including gross evaluation techniques, physical agents, mechanical modalities, therapeutic exercise, electrotherapy, massage, and professional issues
  - C) Clinical Education - a minimum of 600 clock hours.
- 3) No course in which the applicant received lower than a C will be accepted for professional coursework.
- c) In determining whether an applicant's curriculum should be approved, the Department shall take into consideration, but not be bound by, accreditation of the applicant's school by the Commission on Accreditation in Physical Therapy Education.
- d) Recommendation of Approval

- 1) The Department, upon the recommendation of the Committee, has determined that the curricula of all physical therapy and physical therapist assistant programs accredited by the Commission on Accreditation in Physical Therapy Education as of January 1, 1996, meet the minimum criteria set forth in subsections (a) and (b) above and are, therefore, approved.
- 2) In the event of a decision by the above accrediting body to suspend, withdraw or revoke accreditation of any physical therapy or physical therapist assistant program, the Committee shall proceed to evaluate the curriculum and either approve or disapprove it in accordance with subsections (a) and (b) above.
- e) A graduate of a physical therapy or physical therapist assistant program outside the United States or its territories shall have his/her degree validated by the Foreign Credentialing Commission on Physical Therapy (FCCPT), P.O. Box 45827, Alexandria, Virginia 22314, a credentialing agency at the applicant's expense, as equivalent to a physical therapy degree conferred by a regionally accredited college or university in the United States.
- f) An individual who is deficient in course work may complete the required course(s) at a regionally accredited college or university. The individual will be required to submit a transcript from the program indicating successful completion of the course and a course description.
- g) On or after August 1, 1996, any person applying for licensure shall

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENT(S)

have his/her curriculum reviewed on an individual basis as set forth in this Section. All programs previously approved by the Department will no longer be considered approved.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 1340.30 Application for Licensure on the Basis of Examination

a) An applicant for a physical therapist license by examination shall file an application on forms supplied by the Department. The application shall include:

- 1) A complete work history indicating all employment since graduation from a physical therapy program;
- 2) Certification of successful completion of a physical therapy program, signed by the Director of the Physical Therapy Program or other authorized university official and bearing the seal of the university, which meets the requirements set forth in Section 1340.20 of this Part;
- 3) Proof of passage of the Test of English as a Foreign Language (TOEFL) with a minimum score of 550 on the paper-based test or 213 on the computer-based test and the Test of Spoken English (TSE) with a score of 50 for applicants who apply after January 1, 1996, who graduated from a physical therapy program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the physical therapy program from which the applicant graduated was taught in English; and

b) The required fee specified in Section 32(1) and (2) of the Act. An applicant for a physical therapist assistant license by examination shall file an application on forms supplied by the Department. The application shall include:

- 1) A complete work history indicating all employment since graduation from a physical therapist assistant program;
- 2) Either:

A) Certification of graduation from a 2 year college-level physical therapist assistant program signed by the director of the Physical Therapy Program or other authorized school official and bearing the seal of the school which meets the requirements set forth in Section 1340.20 of this Part; or

B) Certification that the applicant is a full-time student in his/her final term of a 2 year college-level physical therapist assistant program with a curriculum that meets the requirements set forth in Section 1340.20 of this Part (certification of graduation shall be received by the Department prior to the applicant's being issued a license);

3) Proof of passage of the Test of English as a Foreign Language

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENT(S)

(TOEFL) with a score of 550 on the paper-based test or 213 on the computer-based test and the Test of Spoken English (TSE) with a score of 50 for applicants who apply after January 1, 1996, who graduated from a physical therapy program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the physical therapy program from which the applicant graduated was taught in English; and

4) The required fee specified in Section 32(1) and (2) of the Act. If supporting documentation for the application is not in English, a certified translation must be included.

d) A graduate of a physical therapy or physical therapist assistant program outside the United States or its territories shall have his/her degree validated, by the Foreign Credentialing Commission on Physical Therapy (FCCPT), P.O. Box 25827, Alexandria, Virginia 22313, a credentialing agency at the applicant's expense, as equivalent to a physical therapy degree conferred by a regionally accredited college or university in the United States.

e) An applicant shall have 60 days after approval of the application to take the examination. If the examination is not taken within those 60 days, the examination fee is forfeited and the applicant shall resubmit the required examination fee to Continental Testing Services, Inc. An applicant who fails to take the examination within 60 days shall forfeit his/her right to work as a physical therapist assistant until the examination is passed.

f) If the applicant has ever been licensed/registered in another state or territory of the United States, he/she shall also submit a certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which the applicant predominantly practices and is currently licensed, stating:

- 1) The time during which the applicant was registered in that jurisdiction, including the date of the original issuance of the license;
- 2) A description of the examination in that jurisdiction;
- 3) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

g) An applicant for a license, who has successfully completed the examination recognized by the Department in another jurisdiction but who has not been licensed in that jurisdiction, shall file an application in accordance with subsection (a) or (b) above and have the examination scores submitted to the Department by the reporting entity.

h) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Committee because of lack of information, discrepancies or conflicts in information given or a need for



## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENT(S)

clarification, the applicant seeking licensure shall be requested to: if the Department has questions or doubts with respect to the documentation or accuracy of any of the matters set forth in the application, the applicant will be required to appear before the Committee and/or provide such additional information as necessary.

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Committee to explain such relevance or sufficiency. Clarify information or clear up any discrepancies or conflicts in information.

1) If the applicant has been determined eligible for licensure except for passing of the examination, the applicant shall be issued a letter of authorization which allows him/her to practice under supervision in accordance with Section 2 of the Act. Supervision shall constitute the presence of the licensed physical therapist on site to provide supervision. The applicant shall not begin practice as a physical therapist or physical therapist assistant, license pending, until the letter of authorization is received from the Department.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1340.50 Endorsement

a) An applicant who is currently licensed under the laws of another state or territory of the United States and who wishes to be licensed as a physical therapist or physical therapist assistant by endorsement, shall file an application with the Department, on forms provided by the Department, which shall include:

- 1) Certification, on forms provided by the Department, of successful completion of an approved physical therapy or physical therapist assistant program in accordance with Section 1340.20;
- 2) Certification from the state or territory of original licensure and the state in which the applicant is currently licensed and practicing, if other than original, stating the time during which the applicant was licensed in that state, whether the file on the applicant contains record of any disciplinary actions taken or pending, and the applicant's license number;
- 3) Proof of passage of the Test of English as a Foreign Language (TOEFL) with a score of 550 on the paper-based test or 213 on the computer-based test and the Test of Spoken English (TSE) with a score 50 for applicants who apply after January 1, 1996, who graduated from a physical therapy program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the physical therapy program from which the applicant graduated was taught in English. The Department may waive the TOEFL and TSE examination for individuals who are licensed and

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENT(S)

have been actively practicing in another jurisdiction for 3 years prior to the date of application for licensure in Illinois;

- 4) A report of the applicant's examination record forwarded directly from the test reporting service;
- 5) Complete work history since graduation from the physical therapy or physical therapist assistant program; and
- 6) The required fee specified in Section 32 of the Act.

b) A graduate of a physical therapy or physical therapy assistant program outside the United States or its territories shall have his/her degree validated, by the Foreign Credentialing Commission on Physical Therapy (FCCPT), P.O. Box 25821, Alexandria, Virginia 22313, a credentialing agency at the applicant's expense, as equivalent to a physical therapy degree conferred by a regionally accredited college or university in the United States.

c) The Department shall examine each endorsement application to determine whether the requirements in the jurisdiction at the date of licensing were substantially equivalent to the requirements then in force in this State and whether the applicant has otherwise complied with the Act.

d) The Department shall either issue a license by endorsement to the applicant or notify the applicant in writing of the reasons for the denial of the application.

e) When an applicant for licensure by endorsement as a physical therapist or physical therapist assistant is notified in writing by the Department that the application is complete, the applicant may practice in Illinois for one year or until licensure has been granted or denied, whichever period of time is lesser, as provided in Section 2(4) of the Act.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1340.60 Restoration

a) A person applying for restoration of a license which has expired or been placed on inactive status for more than 5 years shall file an application with the Department along with the required fee and shall do one of the following:

- 1) Submit certification of current licensure from another state or territory completed by the appropriate state board, and show proof of current active practice; or
- 2) Submit an affidavit attesting to military service as provided in Section 15 of the Act. If application is made within 2 years of discharge, and if all other provisions of Section 15 of the Act are satisfied, the applicant will not be required to pay a restoration fee or any lapsed renewal fees; or
- 3) Pass the examination set forth in Section 1340.40; or
- 4) Submit evidence of recent attendance at educational programs in

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENT(S)

physical therapy, including attendance at college level courses, professionally oriented continuing education classes, special seminars, or any other similar program, or evidence of recent related work experience to show that the applicant has maintained competence in his/her field. The Department will accept:

- A) For an applicant whose license has lapsed 5 to 10 years, 160 contact hours of clinical training under the supervision of a licensed physical therapist or 20 hours of continuing education relating to the clinical aspects of physical therapy or any combination thereof approved by the Committee. Clinical training shall be approved by the Committee prior to an applicant starting the training.
- B) For an applicant whose license has lapsed for 10 years or more, 320 contact hours of clinical training under the supervision of a licensed physical therapist or 40 hours of continuing education relating to the clinical aspects of physical therapy, or any combination thereof approved by the Committee. Clinical training shall be approved by the Committee prior to an applicant starting the training.
- b) A person applying for restoration of a license that has expired for 5 years or less shall file an application with the Department and submit \$10 plus all lapsed renewal fees as specified in Section 32 of the Act.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Committee because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking restoration shall be requested to:
  - 1) Provide such information as may be necessary; and/or
  - 2) Appear for an interview before the Committee to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts of information. Upon the recommendation of the Committee and approval by the Director, an applicant shall have the license restored or will be notified in writing of the reason for the denial of the application.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1340.65 Unprofessional Conduct

a) Pursuant to Section 17(1)(H) of the Act, unprofessional conduct in the practice of physical therapy shall include but not be limited to:

- 1) The promotion of the sale of services, goods, appliances or drugs in such manner as to exploit the patient or client for the financial gain of the practitioner or of a third party.
- 2) Directly or indirectly offering, giving, soliciting, or

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENT(S)

receiving, or agreeing to receive any fee or other consideration to or from a third party for the referral of a patient or client.

- 3) Revealing of personally identifiable facts, data or information about a patient or client obtained in a professional capacity without the prior consent of the patient or client, except as authorized or required by law.

4) Practicing or offering to practice beyond the scope permitted by law, or accepting and performing professional responsibilities which the licensee knows or has reason to know that he or she is not competent to perform.

5) Delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that the person to whom the responsibilities were delegated is not qualified by training, experience, or licensure to perform them.

6) Failing to exercise appropriate supervision over persons who are authorized to practice only under the supervision of a licensed physical therapist.

7) Overutilizing services by providing excessive evaluation or treatment procedures not warranted by the condition of the patient or by continuing treatment beyond the point of possible benefit.

8) Making gross or deliberate misrepresentations or misleading claims as to professional qualifications or of the efficacy or value of the treatments or remedies given or recommended, or those of another practitioner.

9) Gross and willful and continued overcharging for professional services including filing false statement for collection of fees for which services are not rendered.

10) Failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient.

11) Advertising or soliciting for patronage in a manner that is fraudulent or misleading. Examples of advertising or soliciting which is considered fraudulent or misleading shall include, but not be limited to:

- A) Advertising by means of testimonials, anecdotal reports of physical therapy practice successes or claims of superior quality of care to entice the public; or
- B) Advertising which contains false, fraudulent, deceptive or misleading materials, warranties or guarantees of success, or statements which play upon vanities or fears of the public or statements which promote or produce unfair competition.

b) The Department hereby incorporates by reference the "Code of Ethics", June 1991, approved by the American Physical Therapy Association, 1111 North Fairfax Street, Alexandria VA 22314, with no later amendments or editions.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

DEPARTMENT OF PROFESSIONAL REGULATION  
NOTICE OF PROPOSED AMENDMENT(S)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES  
NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Pay Plan
- 2) The Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: 310.Appendix A, Table S Adopted Action:  
Amended
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a]
- 5) Effective Date of Amendments: June 3, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: November 30, 1998; 22 Ill. Reg. 20431
- 10) Has JCAR issued a Statement of Objections to this amendment? No
- 11) Difference(s) between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this amendment replace an emergency rule currently in effect? No
- 14) Are there any proposed amendments pending on this Part? Yes
- | Section Numbers          | Proposed Action | Ill. Register Citation |
|--------------------------|-----------------|------------------------|
| 310.470                  | Amend           | 23 Ill. Reg. 5215      |
| 310.Appendix A, Table AA | Amend           | 23 Ill. Reg. 5300      |
| 310.Appendix A, Table H  | Amend           | 23 Ill. Reg. 5300      |
| 310.Appendix A, Table J  | Amend           | 23 Ill. Reg. 5300      |
| 310.Appendix A, Table O  | Amend           | 23 Ill. Reg. 5300      |
| 310.Appendix A, Table R  | Amend           | 23 Ill. Reg. 5300      |
| 310.Appendix A, Table W  | Amend           | 23 Ill. Reg. 5300      |
| 310.Appendix A, Table X  | Amend           | 23 Ill. Reg. 5300      |
| 310.Appendix A, Table Y  | Amend           | 23 Ill. Reg. 5300      |
| 310.Appendix A, Table Z  | Amend           | 23 Ill. Reg. 5300      |
| 310.280                  | Amend           | 23 Ill. Reg. 5973      |
| 310.230                  | Amend           | 23 Ill. Reg. 6533      |
| 310.230                  | Amend           | 23 Ill. Reg. 6720      |

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

15) Summary and Purpose of Amendments: In Section 310. Table S HR-012 (Fair Employment Practices Employees, SEIU), the salary ranges for the Human Rights Investigators I, II and III are being corrected for July 1998 and July 1999.

16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Michael Murphy  
Department of Central Management Services  
Division of Technical Services  
504 William G. Stratton Building  
Springfield, Illinois 62706  
(217) 782-5601

The full text of the adopted amendments begins on the next page:

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND  
POSITION CLASSIFICATIONS

## CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310  
PAY PLAN

## SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 1998
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

## SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-Of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

## SUBPART C: MERIT COMPENSATION SYSTEM



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

Section	Jurisdiction
310.410	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases
310.455	Intermittent Merit Increase
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Annual Merit Increase Guidechart for Fiscal Year 1998
310.540	Implementation
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

## APPENDIX A

TABLE A	Negotiated Rates of Pay
TABLE B	HR-190 (Department of Central Management Services - State of Illinois Building - SETU)
TABLE C	NR-016 (Department of Natural Resources, Teamsters)
TABLE D	HR-200 (Department of Labor - Chicago, Illinois - SETU)
TABLE E	RC-069 (Firefighters, AFSCME) (Repealed)
TABLE F	HR-001 (Teamsters Local #726)
TABLE G	RC-020 (Teamsters Local #330)
TABLE H	RC-019 (Teamsters Local #25)
TABLE I	RC-045 (Automotive Mechanics, IFPE)
TABLE J	RC-006 (Corrections Employees, AFSCME)
TABLE K	RC-009 (Institutional Employees, AFSCME)
TABLE L	RC-014 (Clerical Employees, AFSCME)
TABLE M	RC-023 (Registered Nurses, IANA)
TABLE N	RC-008 (Boilermakers)
TABLE O	RC-110 (Conservation Police Lodge)
TABLE P	RC-010 (Professional Legal Unit, AFSCME)
TABLE Q	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE R	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
TABLE S	RC-033 (Meat Inspectors, IFPE)
TABLE T	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE U	HR-012 (Fair Employment Practices Employees, SETU)
TABLE V	HR-010 (Teachers of Deaf, IFT)
TABLE W	CU-500 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE X	RC-002 (Corrections, Meet and Confer Employees)
TABLE Y	RC-062 (Technical Employees, AFSCME)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX A	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1998
APPENDIX B	Medical Administrator Rates for Fiscal Year 1998
APPENDIX C	Merit Compensation System Salary Schedule for Fiscal Year 1998
APPENDIX D	Teaching Salary Schedule (Repealed)
APPENDIX E	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX F	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 1998
APPENDIX G	

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ICs 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 1111, effective January 31, 1987.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 23, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14384, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4435, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10007, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11130, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; amended at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 663,

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 3, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 9, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6689, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; emergency amendment at 19 Ill. Reg. 8154, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 24, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 564, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1996; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. ~~7055~~ **7055** effective ~~JUN 3 1999~~ **JUN 3 1999**.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

## Section 310.APPENDIX A Negotiated Rate of Pay

## Section 310.TABLE S HR-012 (Fair Employment Practices Employees, SEIU)

Effective July 1, 1997

	S T E P S				
	1	2	3	4	5
ACCOUNT TECHNICIAN I	1884	1966	2037	2115	2189
ACCOUNT TECHNICIAN II	2060	2148	2228	2321	2405
DATA PROCESSING ASSISTANT	1689	1747	1809	1870	1931
DATA PROCESSING OPERATOR	1529	1581	1632	1678	1731
DATA PROCESSING OPERATOR TRAINEE	1447	1486	1529	1580	1625
HUMAN RIGHTS INVESTIGATOR I	2254	2350	2449	2559	2656
HUMAN RIGHTS INVESTIGATOR II	2472	2586	2704	2817	2934
HUMAN RIGHTS INVESTIGATOR III	2593	2717	2843	2962	3082
HUMAN RIGHTS SPECIALIST I	2254	2350	2449	2559	2656
HUMAN RIGHTS SPECIALIST II	2472	2586	2704	2817	2934
OFFICE AIDE	1447	1486	1529	1580	1625
OFFICE ASSISTANT	1634	1689	1744	1804	1860
OFFICE ASSOCIATE	1747	1814	1879	1950	2013
OFFICE CLERK	1529	1581	1632	1678	1735
OFFICE COORDINATOR	1814	1882	1955	2025	2101
TECHNICAL ADVISOR I	2733	2866	2999	3135	3264
TECHNICAL ADVISOR II	3215	3380	3543	3708	3877

NOTE: Full-time employees will receive a one-time \$565 cash bonus.

Effective July 1, 1998

	S T E P S				
	1	2	3	4	5
Account Technician I	1941	2025	2098	2178	2255
Account Technician II	2122	2212	2295	2391	2477
Data Processing Assistant	1740	1799	1863	1926	1989
Data Processing Operator	1575	1628	1681	1728	1787
Data Processing Operator Trainee	1490	1531	1575	1627	1674
Human Rights Investigator I	2334	2463	2570	2675	2784
Human Rights Investigator II	2425	2597	2647	2752	2866
Human Rights Investigator III	2593	2717	2843	2962	3083
Human Rights Specialist I	2254	2350	2449	2559	2656
Human Rights Specialist II	2472	2586	2704	2817	2934
Office Aide	1447	1486	1529	1580	1625
Office Associate	1634	1689	1744	1804	1860
Office Clerk	1529	1581	1632	1678	1735
Office Coordinator	1814	1882	1955	2025	2101
Technical Advisor I	2733	2866	2999	3135	3264
Technical Advisor II	3215	3380	3543	3708	3877

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

Office Clerk 1575 1628 1681 1728 1787 1835 1930  
 Office Coordinator 1868 1938 2014 2086 2164 2238 2356  
 Technical Advisor II 2815 2952 3089 3229 3362 3496 3704  
 Technical Advisor III 3311 3481 3649 3819 3993 4159 4418

Effective July 1, 1999

	1	2	3	4	5	6	7
Account Technician I	1999	2086	2161	2243	2323	2406	2540
Account Technician II	2186	2278	2364	2463	2551	2649	2796
Data Processing Assistant	1792	1853	1919	1984	2049	2117	2230
Data Processing Operator	1622	1677	1731	1780	1841	1890	1988
Data Processing Operator Trainee	1535	1577	1622	1676	1724	1772	1853
Human Rights Investigator I	2423	2537	2647	2753	2868	2973	3152
	2498	2613	2726	2836	2954	3064	3247
	2671	2793	2928	3051	3175	3304	3501
Human Rights Investigator II	2751	2889	3046	3203	3370	3543	3866
	2815	2952	3089	3229	3362	3496	3704
Human Rights Investigator III	2899	3041	3182	3326	3463	3601	3815
	2392	2494	2598	2715	2818	2927	3097
Human Rights Specialist I	1535	1577	1622	1676	1724	1772	1853
Human Rights Specialist II	1733	1792	1850	1914	1973	2037	2140
Office Aide	1853	1924	1993	2069	2135	2208	2326
Office Associate	1622	1677	1731	1780	1841	1890	1988
Office Clerk	1924	1996	2074	2149	2229	2305	2427
Office Coordinator	2899	3041	3182	3326	3463	3601	3815
Technical Advisor II	3410	3585	3758	3934	4113	4284	4551
Technical Advisor III							

(Source: June 8 1999 23 Ill. Reg. 7065 - effective)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Standard Procurement
- 2) Code Citation: 44 Ill. Adm. Code 1
- 3) Section Numbers: Adopted Action:  
1.2020 Amend
- 4) Statutory Authority: 30 ILCS 500
- 5) Effective Date of Amendments: June 7, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Date Notice of Proposal Published in Illinois Register: March 12, 1999;  
23 Ill. Reg. 2824
- 10) Has JCAR issued a Statement of Objections to the amendments? No
- 11) Differences between proposal and final version: No changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were necessary.
- 13) Will these amendments replace an emergency amendment currently in effect?  
Yes
- 14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
1.2020 Amend		23 Ill. Reg. 2735
1.2020 Amend	Emergency	23 Ill. Reg. 2812
1.2020 Amend		23 Ill. Reg. 2824
1.2020 Emergency		23 Ill. Reg. 5869

(The proposed/emergency amendments listed above lapse the subject matter of this adopted amendment and are being subsumed by this adopted amendment.)

- 15) Summary and Purpose of Amendments: Raises the small purchase threshold from \$10,000 to \$25,000.



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

16) Information and questions regarding this adopted amendment shall be directed to:

Stephen W. Seiple  
720 Stratton Office Building  
Springfield IL 62706  
(217) 782-9669

The full text of the adopted amendments begin on the next page:

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND PROPERTY MANAGEMENT  
SUBTITLE A: PROCUREMENT AND CONTRACT PROVISIONS  
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## PART 1

## STANDARD PROCUREMENT

## SUBPART A: GENERAL

Section	Title
1.01	Policy
1.05	Purpose and Implementation of This Part
1.08	Application
1.10	Definition of Terms Used in This Part
1.15	Property Rights
1.25	Constitutional Officers, and Legislative and Judicial Branches
1.30	

## SUBPART B: PROCUREMENT RULES

Section	Rules
1.525	

## SUBPART C: PROCUREMENT AUTHORITY

Section	
1.1005	Exercise of Procurement Authority
1.1010	Appointment of State Purchasing Officer
1.1030	Associate Procurement Officers
1.1040	Central Procurement Authority of the CPO
1.1050	Procurement Authority of the SPO; Limitations
1.1060	Delegation
1.1070	Toll Highway Authority
1.1075	Department of Natural Resources
1.1080	Illinois Mathematics and Science Academy

## SUBPART D: PUBLICIZING PROCUREMENT ACTIONS

Section	
1.1510	Illinois Procurement Bulletin
1.1525	Bulletin Content
1.1550	Official State Newspaper
1.1560	Supplemental Notice
1.1570	Error in Notice
1.1580	Direct Solicitation
1.1590	Retention of Bulletin Information

## SUBPART E: SOURCE SELECTION AND CONTRACT FORMATION

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

Section	
1.2005	General Provisions
1.2010	Competitive Sealed Bidding
1.2012	Multi-Step Sealed Bidding
1.2015	Competitive Sealed Proposals
1.2020	Small Purchases
1.2025	Sole Economically Feasible Source Procurement
1.2030	Emergency Procurements
1.2035	Competitive Selection Procedures for Professional and Artistic Services
1.2036	Other Methods of Source Selection
1.2037	Tie Bids and Proposals
1.2038	Mistakes
1.2040	Cancellation of Solicitations; Rejection of Bids or Proposals
	SUBPART F: SUPPLIERS, PREQUALIFICATION AND RESPONSIBILITY

Section	
1.2043	Suppliers
1.2044	Vendor List/Required Use
1.2045	Prequalification
1.2046	Responsibility

## SUBPART G: BID, PROPOSAL AND PERFORMANCE SECURITY

Section	
1.2047	Security Requirements
	SUBPART H: SPECIFICATIONS AND SAMPLES

Section	
1.2050	Specifications and Samples
	SUBPART I: CONTRACT TYPE

Section	
1.2055	Types of Contracts
	SUBPART J: DURATION OF CONTRACTS

Section	
1.2060	Duration of Contracts - General
	SUBPART K: CONTRACT MATTERS

Section	
1.2560	Prevailing Wage
1.2570	Equal Employment Opportunity; Affirmative Action

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

	SUBPART L: CONTRACT PRICING
Section	
1.2800	All Costs Included
	SUBPART M: CONSTRUCTION AND CONSTRUCTION RELATED PROFESSIONAL SERVICES
Section	
1.3005	Construction and Construction Related Professional Services
	SUBPART N: REAL PROPERTY LEASES AND CAPITAL IMPROVEMENT LEASES
Section	
1.4005	Real Property Leases and Capital Improvement Leases
	SUBPART O: PREFERENCES

Section	
1.4505	Procurement Preferences
1.4510	Resident Bidder Preference
1.4530	Correctional Industries
1.4535	Sheltered Workshops for the Disabled
1.4540	Gas Mileage
1.4545	Small Business
1.4570	Contracting with Businesses Owned and Controlled by Minorities, Females and Persons with Disabilities

## SUBPART P: ETHICS

Section	
1.5013	Conflicts of Interest
1.5015	Negotiations for Future Employment
1.5020	Exemptions
1.5030	Revolving Door
1.5035	Disclosure of Financial Interests and Potential Conflicts of Interest

## SUBPART Q: CONCESSIONS

Section	
1.5310	Concessions
	SUBPART R: COMPLAINTS, PROTESTS AND REMEDIES

Section	
1.5510	Complaints Against Vendors
1.5520	Suspension
1.5530	Resolution of Contract Controversies

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

1.5540 Violation of Law or Rule  
1.5550 Protests

## SUBPART S: SUPPLY MANAGEMENT AND DISPOSITIONS

Section  
1.6010 Supply Management and Dispositions

## SUBPART T: GOVERNMENTAL JOINT PURCHASING

Section  
1.6500 General  
1.6510 No Agency Relationship  
1.6520 Obligations of Participating Governmental Units  
1.6530 Centralized Contracts - Estimated Quantities  
1.6535 Centralized Contracts - Definite Quantities

## SUBPART U: MISCELLANEOUS PROVISIONS OF GENERAL APPLICABILITY

Section  
1.7000 Severability  
1.7010 Government Furnished Property  
1.7015 Inspections  
1.7020 Records and Audits  
1.7025 Written Determinations  
1.7030 No Waiver of Sovereign Immunity

AUTHORITY: The Illinois Procurement Code [30 ILCS 500] (see P.A. 90-572).

SOURCE: Adopted at 7 Ill. Reg. 100, effective December 17, 1982; amended at 7 Ill. Reg. 13481, effective October 4, 1983; amended at 7 Ill. Reg. 13844, effective October 12, 1983; codified at 8 Ill. Reg. 14941; Sections 1.2210, 1.2220, 1.2230, 1.2240 reclassified to Section 1.2210 at 9 Ill. Reg. 6118; amended at 10 Ill. Reg. 923, effective January 2, 1986; amended at 10 Ill. Reg. 18707, effective October 22, 1986; amended at 11 Ill. Reg. 7225, effective April 6, 1987; amended at 11 Ill. Reg. 7595, effective April 14, 1987; amended at 13 Ill. Reg. 17804, effective November 7, 1989; emergency amendment at 16 Ill. Reg. 13118, effective August 7, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 600, effective January 5, 1993; amended at 17 Ill. Reg. 14576, effective August 27, 1993; amended at 20 Ill. Reg. 9015, effective July 1, 1996; old Part repealed by emergency rulemaking at 22 Ill. Reg. 12632, effective July 1, 1998, for a maximum of 150 days and new Part adopted by emergency rulemaking at 22 Ill. Reg. 12726, effective July 1, 1998, for a maximum of 150 days; old Part repealed and new Part adopted at 22 Ill. Reg. 20875, effective November 25, 1998; emergency amendment at 23 Ill. Reg. 2812, effective February 16, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 3869, effective ~~7-10-99~~ **7-10-99**, for a maximum of 150 days; amended at 23 Ill. Reg. ~~4073~~ **4073**, effective ~~7-10-99~~ **JUN 7 1999**.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

## SUBPART E: SOURCE SELECTION AND CONTRACT FORMATION

## Section 1.2020 Small Purchases

## a) Application

1) Procurements of \$25,000 \$49,000 or less for supplies or services, other than professional and artistic, and \$30,000 or less for construction may be made using the method of source selection determined by the Procurement Officer to be most appropriate to the circumstances.

2) Procurements of less than \$20,000 for professional and artistic services and that have a non-renewable term of one year or less may be made using the method of source selection determined by the Procurement Officer to be most appropriate to the circumstances.

3) The CPO shall announce any change identified by the United States Department of Labor in the Consumer Price Index for All Urban Consumers for the period ending December 31, 1998, and for each year thereafter. That percentage change shall be used to calculate the small purchase maximums that shall be applicable for the fiscal year beginning July 1, 1999. The small purchase maximums shall be likewise recalculated for each July 1 thereafter.

b) In determining whether a contract is under the limit, the value of the contract for the full term and all optional renewals, determined in good faith, shall be utilized. The stated value of the supplies or services, plus any optional supplies and services, shall be utilized. Where the term is calculated month-to-month or in a similar fashion, the amount shall be calculated for a twelve month period.

c) If only a unit price or hourly rate is known, the contract shall be considered small and shall have a not to exceed limit applicable to the type of procurement (see subsection (a) above).

d) If, after signing the contract, the actual cost of completing the contract is determined to exceed the small purchase amount, and the Procurement Officer determines that a supplemental procurement is not economically feasible or practicable because of the immediacy of the agency's needs or other circumstances, the Procurement Officer must follow the procedures for sole source or emergency procurement, whichever is applicable, to complete the contract.

e) Procurement requirements shall not be artificially divided to avoid using the other source selection methods set forth in Section 20-5 of the Illinois Procurement Code.

f) If there is a repetitive need for small procurements of the same type, the Procurement Officer shall consider issuing a competitive sealed bid or proposal for procurement of those needs.

g) Agencies shall establish policies to control the use of this small purchase provision and shall make those policies available to the CPO upon request.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

(Source: Amended at 23 Ill. Reg. **7075** effective **JUN 7 1999**)

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Reading Improvement Program
- 2) Code Citation: 23 Ill. Adm. Code 260
- 3) Section Number: Adopted Action:  
260.30 Amendment  
260.50 Amendment  
260.55 New Section  
260.70 Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.51
- 5) Effective Date of Amendments: June 2, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does these amendments contain incorporations by references? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 5, 1999; 23 Ill. Reg. 1465
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Differences between proposal and final version: Section 260.55(g) was changed to refer to the 1999-2000 school year instead of the 2000-2001 school year and to provide for an extension of time that might be granted by the State Superintendent.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were requested by JCAR.
- 13) Will these amendments replace emergency amendments currently in effect?  
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: This is the second of two sets of amendments to Part 260 that are needed to implement new provisions of Section 2-3.5l of the School Code. The law now requires demonstration of progress in students' reading achievement in order for districts and laboratory schools to be eligible for continued funding after the first two years of the program. That requirement was instituted by P.A. 90-548, enacted in December of 1997. It was subsequently modified by P.A. 90-640,



STATE BOARD OF EDUCATION  
NOTICE OF ADOPTED AMENDMENTS

enacted last July, to allow applicants to propose methods of measuring students' reading performance other than, or in addition to, scores on the reading portion of the State assessment.

This set of amendments responds to these requirements. It requires applicants to describe the methods they propose to use and sets some standards for those methods, whether standardized, commercially available, or locally developed. The rules will allow districts some significant flexibility in choosing methods, but they may assess no more than 10% of just those students affected by this proposal, or of all students at that particular point. It is up to the district (or eligible laboratory school) to justify the proposed method and describe how it will allow for "performance progress" to be demonstrated.

Similarly, the definition of "performance progress" is intended to be broad enough to encompass the various ways in which performance or achievement might be expressed with respect to many different forms of assessment. Every effort has been made to avoid creating an incentive for districts to increase the use of standardized testing, particularly with regard to young students for whom it may not be useful or appropriate. It was our intention to give districts a clear opportunity to use the forms of measurement they are already using rather than causing them to have to change.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Terry Nunn  
Illinois State Board of Education  
100 North First Street  
Springfield, Illinois 62777-0001  
(217) 782-3810

The full text of the adopted amendments begins on the next page:

STATE BOARD OF EDUCATION  
NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER I: STATE BOARD OF EDUCATION  
SUBCHAPTER 9: SPECIAL COURSES OF STUDY

PART 260  
READING IMPROVEMENT PROGRAM

Section 260.10	Definitions (Repealed)
260.20	Purpose
260.30	Eligible Applicants
260.40	Allowable Expenditures
260.50	Procedure and Criteria for Approval of Applications
260.55	Eligibility for Continued Funding
260.60	Allocation of Funds (Repealed)
260.65	Allocation of Funds (Repealed)
260.70	Distribution of Grant Awards
260.80	Reporting

AUTHORITY: Implementing and authorized by Section 2-3.51 of the School Code [105 ILCS 5/2-3.51].

SOURCE: Emergency rules adopted at 9 Ill. Reg. 15967, effective October 2, 1985, for a maximum of 150 days; adopted at 10 Ill. Reg. 7757, effective April 29, 1986; amended at 14 Ill. Reg. 20714, effective December 14, 1990; amended at 16 Ill. Reg. 14196, effective September 8, 1992; amended at 22 Ill. Reg. 19763, effective October 30, 1998; amended at 23 Ill. Reg. 7083, effective JUN 2 1999.

Section 260.30 Eligible Applicants

Eligible applicants are public school districts and public university laboratory schools providing instruction in grades K-6. Commencing with Fiscal year 2002-2003, eligible applicants shall be only those that have made performance progress as required by Section 2-3.51 of the School Code [see Section 260.55 of this Part].

(Source: Amended at 23 Ill. Reg. 7083, effective JUN 2 1999.)

Section 260.50 Procedure and Criteria for Approval of Applications

- a) The State Board of Education shall provide application forms and shall notify each eligible applicant of the maximum amount of its entitlement pursuant to Section 2-3.51 of the School Code. Each application form shall set forth the applicant's most-recent available scores on the reading portion of the State assessment required pursuant to Section 2-3.64 of the School Code and shall require the

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

## applicant to provide:

- 1) a total grant request equal to or less than the amount for which the applicant is eligible;
  - 2) assurance that the applicant will comply with the provisions of Section 2-3.51 of the School Code and this Part; and
  - 3) information identifying the purposes for which the applicant plans to use the funds provided pursuant to this Part; and
  - 4) the information called for in Section 260.55(a) through (d) of this Part.
- b) Application must be submitted to the State Board of Education by the date specified on the form. This date will be determined so that all eligible applicants will have at least 30 days to complete and submit the form. An applicant's failure to comply with this requirement will delay its receipt of program assistance pursuant to Section 260.70 of this Part.
- c) Information provided in the application will be reviewed by State Board of Education staff to determine that the information demonstrates compliance with Section 2-3.51 of the School Code and this Part.
- d) State Board staff shall notify applicants of any requested information that is missing from the application. An application shall not be approved for funding until it is complete.

(Source: Amended at 23 Ill. Reg. 7083, effective JUN 2 1989.)

## Section 260.55 Eligibility for Continued Funding

Section 2-3.51 of the School Code provides that districts not demonstrating performance progress using an approved assessment method shall not be eligible for funding in the third or fourth years until such progress is established. Each application for funding under the Reading Improvement Grant program shall include a proposed assessment method or methods for measuring the reading skills and shall be submitted by the deadline announced by the State Superintendent of Education.

- a) Each application shall list or describe the method or methods the applicant proposes to use to measure students' reading skills. Such methods may include the reading portion of the Illinois Goals and Assessment Program (Section 2-3.51 of the School Code).

1) If a proposed assessment instrument is a standardized or commercially available criterion-referenced test, the applicant shall assure the State Superintendent that the instrument meets the generally accepted standards of validity and reliability set forth in "Standards for Educational and Psychological Testing" (1985), published by the American Psychological Association, 1200 7th St., N.W., Washington, D.C. 20036. (No later amendments to or editions of these standards are incorporated.)

- 2) If a proposed assessment instrument is locally developed or

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

chosen, the applicant shall:

- A) indicate the acceptable standard of performance on that measure; and
  - B) certify to the State Superintendent that the instrument measures what it is intended to measure and can be expected to yield consistent results, including a description of the methods by which the applicant's staff arrived at the conclusion that this is the case.
- 3) Results of the proposed method(s) must be expressed in quantifiable terms, such as the percentage of students achieving a passing score or meeting an established standard.
- b) Each application shall describe the population of students whose reading performance will be measured.
- 1) For purposes of demonstrating performance progress, measurement may be conducted on a district wide basis (e.g., all fourth-graders) or may involve only the students who are affected by the provision of services under this program.
  - A) If measurement is to be conducted on a districtwide basis, the population of students whose performance is assessed by the proposed method(s) must include at least all the students who would be required to participate in the reading portion of the State assessment pursuant to Section 2-3.64 of the School Code [105 ILCS 5/2-3.64] if they were in grade 4 or 5.
  - B) If measurement is to involve only groups of students affected by the provision of services under the Reading Improvement Program, all affected students shall be included. For example, if Reading Improvement Program funds are used to lower class size, all the students in all affected classrooms must be included in reporting of results.
- 2) Measurement may involve affected cohorts of students at several points in their educational careers or may involve successive groups of students at the same point. For example, students whose performance was measured in the fourth grade may be retested in the fifth grade to demonstrate progress; or fourth-grade students may be pre- and post-tested or tested for several years in a row to demonstrate progress.
- c) Each application shall describe how the proposed method of methods will permit the applicant to demonstrate performance progress as defined in subsection (b) of this Section. If the proposed methods differ from one year to the next, this description shall provide a rationale for the proposed change and specific information about how the necessary comparisons can be made.
- d) Each application shall assure the State Superintendent that the applicant will take such measures as may be necessary to prevent inappropriate disclosure of test questions or other materials that form part of the proposed assessment method(s).

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

- e) The State Superintendent of Education shall approve the method or methods proposed if the application complies with subsections (a) through (d) of this Section.
- f) No later than 60 days after the due date established for applications, the State Superintendent shall notify each applicant whether its proposed method of measuring students' reading skills is approved. Failure to apply in a timely manner may delay an applicant's receipt of this response. In the case of a disapproval, the applicant shall be notified of the reason for the disapproval, and of any modifications that would bring its proposed method into compliance with the requirements of this Section. An applicant may revise and seek approval of its proposed testing cycle as often as time permits, but shall submit the method after its approval.
- g) Commencing with the 1999-2000 school year, each applicant shall annually report to the State Superintendent of Education its reading results for the previous school year. This report shall be made no later than November 1 on a form to be supplied by the State Superintendent, unless an extension of the deadline is granted by the State Superintendent. An applicant that fails to submit its report of reading assessment. An applicant that fails to submit its report of reading results in a timely fashion shall forfeit any grant funds to which it would otherwise be eligible for the affected school year pursuant to this Part, due to the necessity for the State Superintendent to calculate grant allocations and notify all districts and affected public university laboratory schools of their eligibility and allocation amounts.
- h) Commencing with the 2001-2002 school year, an applicant will be eligible for continued funding only if its assessment results on the approved measure(s) for the preceding year indicate that it made "performance progress" as required by Section 2-3.51 of the School Code. "Performance progress" means any of the following:
- 1) A higher percentage of students scored at or above the locally established standard on the approved measure(s) of reading performance (e.g., on achieved passing scores, benchmarked equivalents, criterion-referenced points, or local benchmarks) than in the preceding testing cycle.
  - 2) The targeted scores achieved by students on the approved measure(s) rose in comparison to the average for the preceding testing cycle.
  - 3) A higher percentage of students scored in the top two quartiles on the approved measure(s) than in the preceding testing cycle, or a lower percentage of students scored in the bottom quartile.
  - 4) An increased percentage of students moved into a higher quartile than was the case in the preceding testing cycle.
  - 5) The degree by which students fell short of meeting the established standard on the approved measure(s) lessened in comparison to the preceding testing cycle.
  - 6) A lower percentage of students in grades higher than those served

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

- by this program required ongoing remedial services than in the preceding year.
- 7) An applicant with 90% or more of scores at or above the established standard maintained its performance in comparison to the preceding testing cycle.
  - 8) Beginning with the 2001-2002 school year, the State Superintendent shall notify any applicant whose results on its approved measure(s) of reading performance contradict its State assessment scores in reading for either grade 3 or grade 5. No later than 30 days after receipt of such notification, the applicant shall provide to the State Superintendent an analysis of this discrepancy and the applicant a rationale for concluding that it has nevertheless made performance progress.
  - 9) An applicant may appeal either disapproval of its proposed assessment method(s) or a determination that it has failed to make performance progress. In the latter case, the applicant may appeal either on the grounds that it has made performance progress or on the grounds that the factors that led to such failure were beyond the applicant's control.
  - 10) The superintendent or chief administrator of an eligible applicant may request a conference at which representatives of the applicant will have an opportunity to discuss the issues involved with representatives of the State Board of Education.
  - 11) If a conference is held and the areas of concern are not resolved, the school board may submit an appeal by adopted board resolution. The appeal must identify the ways in which the proposed method meets the requirements of Section 2-3.51 of the School Code and this Section, the way in which the information submitted demonstrates that performance progress has been made, or the external factors that led to its inability to make performance progress, as applicable.
  - 12) The applicant will be given an opportunity to present information relevant to the issues appealed. The State Superintendent of Education will consider the appeal and issue a final written decision.
  - 13) An applicant's eligibility for funding shall not be interrupted for failure to make performance progress if the State Superintendent determines that such failure was beyond the applicant's control and that the applicant plans to take specific steps in the immediate future to enable it to resume making performance progress.

(Source: Added at 23 Ill. Reg. 7089 = effective  
JUN 2 1999)

## Section 260.70 Distribution of Grant Awards

Distribution of grant awards to eligible recipients shall be made on or before

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

the dates specified in Section 2-3.51 of the School Code, provided that complete applications have been received by the State Board of Education by the date specified on the application form.

(Source: amended at 23 Ill. Reg. 7090 effective 1-1-99)

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Temporary Assistance for Needy Families
  - 2) Code Citation: 89 Ill. Adm. Code 112
  - 3) Section Numbers: Adopted Action:  
112.2 New Section
  - 4) Statutory Authority: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].
  - 5) Effective Date of Amendments: June 4, 1999
  - 6) Does this rulemaking contain an automatic repeal date? No
  - 7) Do these amendments contain incorporations by reference? No
  - 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
  - 9) Notice of Proposal Published in Illinois Register: January 22, 1999 (23 Ill. Reg. 831)
  - 10) Has JCAR Issued a Statement of Objections to this amendment? No
  - 11) Differences between proposal and final version: The following changes were made in the text of the proposed amendments:
    1. In Section 112.2(a), "regardless of the number of hours the client works" was added at the end of the Section.
    2. In Section 112.2(b)(1), "working toward a degree" was added after "Post-Secondary Education".
    3. In Section 112.2(b)(4), "at least" was added after "maintaining" and "and the client will be subject to the work requirements of Section 112.78(h)" was deleted.
    4. Subsection 112.2(c) was deleted and the remaining subsection renumbered.
- No other substantive changes have been made in the text of the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
  - 13) Will this rule replace an emergency rule currently in effect? Yes



## DEPARTMENT OF HUMAN SERVICES

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## NOTICE OF ADOPTED AMENDMENTS

14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
112.78	Amendment	23 Ill. Reg. 5637
112.131	Amendment	23 Ill. Reg. 4586
112.134	Amendment	23 Ill. Reg. 4586
112.141	Amendment	23 Ill. Reg. 4586
112.155	Amendment	23 Ill. Reg. 4586
112.250	Amendment	23 Ill. Reg. 4586

15) Summary and Purpose of Amendment: This amendment "stops the clock" on the 60-month lifetime time limit for the receipt of benefits under the Temporary Assistance for Needy Families (TANF) program for certain persons who are enrolled in post-secondary education. The client must be enrolled full-time in a program leading to gainful employment in an accredited school while maintaining at least a 2.5 grade point average. For any month the client meets these criteria, that month will not count toward the 60-month limit, whether or not the client is working.

16) Information and answers to questions regarding these adopted amendments shall be directed to:

Mrs. Susan Weir, Bureau Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
3rd Floor, Barris Bldg.  
Springfield, Illinois 62762  
(217) 785-9772

The full text of adopted amendments begins on the next page:

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER B: ASSISTANCE PROGRAMS

## PART 112

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

## SUBPART A: GENERAL PROVISIONS

Section	Description of the Assistance Program
112.1	Time Limit on Receipt of Benefits for Clients Enrolled in Post-Secondary Education
112.2	Incorporation by Reference
112.5	

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	Factors of Eligibility
112.8	Caretaker Relative
112.9	Client Cooperation
112.10	Citizenship
112.20	Residence
112.30	Age
112.40	Relationship
112.50	Living Arrangement
112.52	Social Security Numbers
112.54	Assignment of Medical Support Rights
112.60	Basis of Eligibility
112.61	Death of a Parent (Repealed)
112.62	Incapacity of a Parent (Repealed)
112.63	Continued Absence of a Parent (Repealed)
112.64	Unemployment of the Parent (Repealed)
112.65	Responsibility and Services Plan
112.66	Alcohol and Substance Abuse Treatment
112.67	Restriction in Payment to Households Headed by a Minor Parent
112.68	School Attendance Initiative
112.69	Felons and Violators of Parole or Probation

## SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS

Section	Employment and Work Activity Requirements	Exempt from TANF Employment Requirements	Work Activity
112.70	Individuals		
112.71	Requirements		
112.72	Participation/Cooperation Requirements		
112.73	Adolescent Parent Program (Repealed)		
112.74	Responsibility and Services Plan		
112.75	Ten Parent Personal Responsibility Plan (Repealed)		

## DEPARTMENT OF HUMAN SERVICES

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## NOTICE OF ADOPTED AMENDMENTS

112.76 TANF Orientation  
 112.77 Reconciliation and Fair Hearings  
 112.78 TANF Employment and Work Activities  
 112.79 Sanctions  
 112.80 Good Cause for Failure to Comply with TANF Participation Requirements  
 112.81 Responsible Relative Eligibility for JOBS (Repealed)  
 112.82 Supportive Services  
 112.83 Teen Parent Services  
 112.84 Work Experience Evaluation Project (Repealed)  
 112.85 Four Year College/Vocational Training Demonstration Project (Repealed)

## SUBPART E: PROJECT ADVANCE

Section  
 112.86 Project Advance (Repealed)  
 112.87 Project Advance Experimental and Control Groups (Repealed)  
 112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)  
 112.89 Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)  
 112.90 Project Advance Sanctions (Repealed)  
 112.91 Good Cause for Failure to Comply with Project Advance (Repealed)  
 112.92 Individuals Exempt From Project Advance (Repealed)  
 112.93 Project Advance Supportive Services (Repealed)  
 112.95

## SUBPART F: EXCHANGE PROGRAM

Section  
 112.98 Exchange Program (Repealed)

## SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section  
 112.100 Unearned Income  
 112.101 Unearned Income of Stepparent or Parent  
 112.102 Budgeting Unearned Income  
 112.106 Application And/Or Date Of Decision  
 112.107 Initial Receipt of Unearned Income  
 112.108 Termination of Unearned Income  
 112.110 Exempt Unearned Income  
 112.115 Education Benefits  
 112.120 Incentive Allowances  
 112.125 Unearned Income In-Kind  
 112.126 Earmarked Income  
 112.127 Lump-Sum Payments  
 112.128 Protected Income (Repealed)

112.130 Earned Income  
 112.131 Earned Income Tax Credit  
 112.132 Budgeting Earned Income  
 112.133 Budgeting Earned Income of Employed Applicants  
 112.134 Initial Employment  
 112.135 Budgeting Earned Income for Contractual Employees  
 112.136 Budgeting Earned Income For Non-Contractual School Employees  
 112.137 Termination of Employment  
 112.138 Transitional Payments (Repealed)  
 112.140 Exempt Earned Income  
 112.141 Earned Income Exemption  
 112.142 Exclusion From Earned Income Exemption  
 112.143 Recognized Employment Expenses  
 112.144 Income from Work-Study and Training Programs  
 112.145 Earned Income From Self-Employment  
 112.146 Earned Income From Roomer and Boarder  
 112.147 Income From Rental Property  
 112.148 Payments from the Illinois Department of Children and Family Services  
 112.149 Earned Income In-Kind  
 112.150 Assets  
 112.151 Exempt Assets  
 112.152 Asset Disregards  
 112.153 Deferral of Consideration of Assets  
 112.154 Property Transfers (Repealed)  
 112.155 Income Limit

## SUBPART H: PAYMENT AMOUNTS

Section  
 112.250 Grant Levels  
 112.251 Payment Levels  
 112.252 Payment Levels in Group I Counties  
 112.253 Payment Levels in Group II Counties  
 112.254 Payment Levels in Group III Counties  
 112.255 Limitation on Amount of TANF Assistance to Recipients from Other States (Repealed)

## SUBPART I: OTHER PROVISIONS

Section  
 112.300 Persons Who May Be Included in the Assistance Unit  
 112.301 Presumptive Eligibility  
 112.302 Reporting Requirements for Clients with Earnings  
 112.303 Retrospective Budgeting  
 112.304 Budgeting Schedule  
 112.305 Strikers  
 112.306 Foster Care Program  
 112.307 Responsibility of Sponsors of Non-Citizens Entering the County Prior

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

to 8/22/96  
 112.308 Responsibility of Sponsors of Non-Citizens Entering the Country On or After 8/22/96  
 112.309 Institutional Status  
 112.310 Child Care for Representative Payees  
 112.315 Young Parent Program (Renumbered)  
 112.320 Redetermination of Eligibility  
 112.330 Extension of Medical Assistance Due to Increased Income from Employment  
 112.331 Four Month Extension of Medical Assistance Due to Child Support Collections  
 112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repealed)  
 112.340 New Start Payments to Individuals Released from Department of Corrections Facilities (Repealed)

SUBPART J: CHILD CARE

Section  
 112.350 Child Care (Repealed)  
 112.352 Child Care Eligibility (Repealed)  
 112.354 Qualified Provider (Repealed)  
 112.356 Notification of Available Services (Repealed)  
 112.358 Participant Rights and Responsibilities (Repealed)  
 112.359 Additional Service to Secure or Maintain Child Care Arrangements (Repealed)  
 112.364 Rates of Payment for Child Care (Repealed)  
 112.366 Method of Providing Child Care (Repealed)  
 112.370 Non-JOBES Education and Training Program (Repealed)

## SUBPART K: TRANSITIONAL CHILD CARE

Section  
 112.400 Transitional Child Care Eligibility (Repealed)  
 112.404 Duration of Eligibility for Transitional Child Care (Repealed)  
 112.406 Loss of Eligibility for Transitional Child Care (Repealed)  
 112.408 Qualified Child Care Providers (Repealed)  
 112.410 Notification of Available Services (Repealed)  
 112.412 Participant Rights and Responsibilities (Repealed)  
 112.414 Child Care Overpayments and Recoveries (Repealed)  
 112.416 Fees for Service for Transitional Child Care (Repealed)  
 112.418 Rates of Payment for Transitional Child Care (Repealed)

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134,

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 21, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 1013, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1993; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 18127, effective October 1, 1984; emergency amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16777, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 19, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9977, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective

August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 23, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19156, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg.



DEPARTMENT OF HUMAN SERVICES  
NOTICE OF ADOPTED AMENDMENTS

8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27, 1994; amended at 18 Ill. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 Ill. Reg. 2845, effective February 24, 1995; amended at 19 Ill. Reg. 5609, effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency amendment at 19 Ill. Reg. 15839, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 845, effective January 1, 1996; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at 20 Ill. Reg. 5648, effective March 30, 1996; amended at 20 Ill. Reg. 6018, effective April 12, 1996; amended at 20 Ill. Reg. 6498, effective April 29, 1996; amended at 20 Ill. Reg. 7892, effective June 1, 1996; emergency amendment at 20 Ill. Reg. 12499, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14820, effective November 1, 1996; amended at 20 Ill. Reg. 15983, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 662, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 940, effective January 7, 1997; amended at 21 Ill. Reg. 1366, effective January 15, 1997; amended at 21 Ill. Reg. 2655, effective February 7, 1997; amended at 21 Ill. Reg. 7391, effective May 31, 1997; emergency amendment at 21 Ill. Reg. 8426, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 15597, effective November 26, 1997; emergency amendment at 22 Ill. Reg. 4466, effective February 24, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12197, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 14240, effective July 24, 1998; amended at 22 Ill. Reg. 14744, effective August 1, 1998; amended at 22 Ill. Reg. 16256, effective September 1, 1998; emergency amendment at 22 Ill. Reg. 16365, effective September 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 18082, effective October 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19840, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 598, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 942, effective January 6, 1999; emergency amendment at 23 Ill. Reg. 1133, effective January 7, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1682, effective January 20, 1999; emergency amendment at 23 Ill. Reg. 5881, effective May 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 6958, effective May 30, 1999; amended at 23 Ill. Reg. ~~7091~~ effective JUN 4 1999.

SUBPART A: GENERAL PROVISIONS

Section 112.2 Time Limit on Receipt of Benefits for Clients Enrolled in Post-Secondary Education

DEPARTMENT OF HUMAN SERVICES  
NOTICE OF ADOPTED AMENDMENTS

- a) Months in which the caretaker relative in a Category 04 case is enrolled in Post-Secondary Education that meets the criteria listed in this Section will not count toward the 60-month limit on the receipt of benefits under the Temporary Assistance for Needy Families (TANF) program set out in Section 112.1 regardless of the number of hours the client works.
- b) In order for a month to not count towards the 60-month limit, the client's educational program must meet the following criteria:
  - 1) The program must be considered Post-Secondary Education working toward a degree in an accredited institution and must be approved under Section 112.78(b).
  - 2) The client must be in the program full-time, as defined by the institution.
  - 3) The client must be attending the program during that particular month. For example, if a client attends school from September through May and then returns to school the next September, the months of June through August will count toward the 60 month limit.
  - 4) The client must be maintaining at least a 2.5 grade point average (on a 4.0 scale). Under this requirement, a client may not take advantage of this Section until the client has attended the school for a sufficient time to receive a grade point average (e.g., for at least a semester). If a client's grade point average falls below 2.5 at any time, the following months will then count towards the 60-month limit. Once a client's grade point average is again at least 2.5, the client may once again take advantage of this Section.
- c) A client may take advantage of this Section for no more than a total of 36 months.

(Source: JUN 4 1999 23 Ill. Reg. ~~7091~~ effective JUN 4 1999)

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Illinois Certified Shorthand Reporters Act of 1984
- 2) Code Citation: 68 Ill. Adm. Code 1200
- 3) Section Numbers: Adopted Action:  
1200.50 Amendment  
1200.75 Amendment  
1200.90 New Section
- 4) Statutory Authority: Illinois Certified Shorthand Reporters Act of 1984 [225 ILCS 415]
- 5) Effective Date of Amendments: June 4, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? Yes
- 8) A copy of the adopted amendments, including incorporations by reference, is on file in the agency's principal office and available for public inspection
- 9) Date Notice of Proposal Published in Illinois Register: December 4, 1998, at 22 Ill. Reg. 20726
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Differences between proposal and final version: Subsection 1200.90 (h), as proposed, stated "a licensee's signature...shall be affixed only to a transcript of his/her stenographic notes...if the transcript has been prepared by him/her"; the word "only" after "affixed" has been deleted in the final version.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect?  
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: Section 1200.90 adds Standards of Professional Conduct for this profession, while Section 1200.75 includes clean-up language on continuing education (CE). Section 1200.50 increases the application fee for CE sponsors from \$200 to \$300 while reducing their renewal fees from \$150 to \$50 per year.
- 16) Information and questions regarding these adopted amendments shall be

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

directed to:

Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0813  
 Fax: 217/782-7645

The full text of the adopted amendments begins on the next page:

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1200  
ILLINOIS CERTIFIED SHORTHAND REPORTERS ACT OF 1984

Section	
1200.20	Application for Examination/Licensure
1200.30	Examinations
1200.35	Renewals
1200.40	Restoration
1200.45	Endorsement
1200.50	Fees for the Administration of the Act
1200.60	Annual Report of Board
1200.70	Conduct of Hearings
1200.75	Continuing Education
1200.80	Granting Variances
1200.90	Standards of Professional Conduct

AUTHORITY: Implementing the Illinois Certified Shorthand Reporters Act of 1984 [225 ILCS 415] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Adopted at 5 Ill. Reg. 7518, effective July 2, 1981; codified at 5 Ill. Reg. 11024; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1987, for a maximum of 150 days; amended at 6 Ill. Reg. 7446, effective June 15, 1982; emergency amendments at 8 Ill. Reg. 672, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 16443, effective August 29, 1984; amended at 11 Ill. Reg. 14073, effective August 5, 1987; recodified from Chapter I, 68 Ill. Adm. Code 200 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1200 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2917; amended at 12 Ill. Reg. 16718, effective September 30, 1988; amended at 13 Ill. Reg. 18865, effective November 21, 1989; amended at 16 Ill. Reg. 3169, effective February 18, 1992; amended at 19 Ill. Reg. 940, effective January 17, 1995; amended at 23 Ill. Reg. 7102 = 1 effective JUN 4 1999.

## Section 1200.50 Fees for the Administration of the Act

The following fees shall be paid to the Department for the administration of the Act and shall be nonrefundable.

## a) Applications Fees.

- 1) The fee for application and for a certificate as a certified shorthand reporter is \$25. In addition, the applicants may be required to pay the Department, or its designated testing service, a fee for the cost of providing the examination.
- 2) The fee to be paid for a certificate issued at the request of the Director of the Administrative Office of the Courts as set

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

- forth under Section 6 of the Act is \$35.
- 3) The fee for application as a continuing education sponsor is \$300. State agencies, State colleges and State universities in Illinois shall be exempt from this fee.

## b) Renewal Fees.

- 1) The fee for the renewal of a certificate shall be calculated at the rate of \$20 per year.
- 2) The fee for the renewal as a continuing education sponsor shall be calculated at the rate of \$50 per year.

## c) General Fees.

- 1) The fee for placing a certificate on inactive status is \$20.
- 2) The fee for restoration of a certificate from inactive status is the current renewal fee.
- 3) The fee for restoration of a certificate from other than inactive status is \$10 plus all lapsed renewal fees not to exceed \$150.

- 9) The fee for issuance of a certificate to an applicant certified under the laws of another jurisdiction is \$75.
- 4) The fee for a certification of a license record is \$20.

- 5) The fee for a change of name or address other than during renewal is \$20. No fee is required for name and address changes when no duplicate certificate is issued.
- 6) The fee for a wall certificate shall be the actual cost of producing such certificate.

- 7) The fee for the issuance of a duplicate certificate, for the issuance of a replacement certificate, or for the issuance of a license with a change of name or address other than during the renewal period is \$20. No fee is required for name and address changes on Department records when no duplicate license is issued.
- 8) The fee for a roster of certificate holders is the cost of producing the roster. The cost of producing the roster shall be determined in accordance with the following formula: Total number of registrants in the list requested divided by 1000 multiplied by the Multiplier, plus Fixed Costs (such as personnel and handling) = Total Roster Cost.

(Source: Amended at 23 Ill. Reg. 7102 = 3 effective JUN 4 1999.)

## Section 1200.75 Continuing Education

- a) Continuing Education (CE) Requirements
  - 1) Beginning with the May 31, 1997, renewal and every renewal thereafter, every registrant who applies for renewal of a certificate of registration as a certified shorthand reporter shall complete during the prerenewal period 10 hours of continuing education (CE) relevant to the practice of shorthand

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

- reporting.
- 2) A prerenewal period is the 24 months preceding May 31 of each odd-numbered year.
  - 3) A CE hour means a minimum of 50 minutes of actual clock time spent by a registrant in actual attendance at and completion of an approved CE activity. After completion of the initial CE hour, credit may be given in one-half hour increments.
  - 4) A renewal applicant shall not be required to comply with CE requirements for the first renewal of an Illinois certificate of registration.
  - 5) Shorthand reporters registered in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.
- b) How to Acquire CE Credits
- 1) CE hours may be earned from:
    - A) Verified attendance at or participation in a program, activity or course through the National Court Reporters Association.
    - B) Verified attendance (e.g., certificate of attendance or certificate of completion) at or participation in a program, activity or course ("program") presented by a continuing education sponsor in subsection (c) below.
    - C) Information value to shorthand reporters but does not directly relate to the reporter's ability to produce an accurate and timely transcript. A maximum of 5 hours credit may be counted during a prerenewal period for such programs, which include:
      - i) Professionalism, including knowledge and application of standards of professional responsibility, impartiality, public relations, attire; and
      - ii) Office procedures, record-keeping, health, including a reporter's approach to personal tax management, planning for retirement or changing careers within reporting, maintaining the individual reporter's health and emotional adjustment, ability to listen, to concentrate, to communicate, to cope.
    - D) Verified personal preparation of educational presentations pertaining to the profession of court reporting and serving as an instructor, speaker or panel member at an approved course will be allowed as CE credit for actual presentation time, plus actual preparation time of up to 2 hours for each hour of presentation. Credits for preparation time shall not be allowed for repetitious presentations. No more than 5 hours of credit can be earned under this category in any one renewal period.
    - E) Writing articles pertaining to the profession of court reporting and published in a state or nationally recognized

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

- professional journal of court reporting or law. No more than 5 hours of credit can be earned under this category in any one renewal period. Credits will not be allowed for the same article published in more than one publication.
- 2) Courses completed that are a part of the curriculum of a university, college or other educational institution. One semester of course work is equivalent to 15 hours of CE and one quarter of course work is equivalent to 10 hours of CE.
- c) CE Sponsors and Programs
- 1) Sponsor, as used in this Section, shall mean the following:
    - A) The National Court Reporters Association;
    - B) The Illinois Shorthand Reporters Association or any state court reporters association whose course or program has been approved for CE credits under the guidelines of the National Court Reporters Association;
    - C) Any computer users' group whose program or course has been approved for CE credits under the guidelines of the National Court Reporters Association;
    - D) A city, county, state or federal judicial body responsible for coordination and presentation of CE courses or programs for its employees;
    - E) A university or college course or adult education program that contributes directly to the Certified Shorthand Reporter's knowledge, ability or competence to perform his/her duties; and
    - F) Any other school, college or university, State agency, or any other person, firm or association that has been approved and authorized by the Department to coordinate and present CE courses and programs in conjunction with this Section.
  - 2) Entities seeking approval as CE sponsors shall file an application, on forms supplied by the Department, along with the a-\$280 application fee set forth in Section 1200.50 of this Part. (State agencies, State colleges and State universities in Illinois shall be exempt from paying this fee.) Along with the application, the applicant shall submit a list of proposed programs including the description, location, date and time of the programs. The applicant shall--certify--on--the application shall include the following:
    - A) Certification:
      - i) That all programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(3) below and all other criteria in this Section;
      - ii) That the sponsor will be responsible for verifying attendance at each program and provide a certificate of attendance as set forth in subsection (c)(10) below;
      - iii) That upon request by the Department, the sponsor will submit evidence (e.g., certificate of attendance



## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

or course materials) as is necessary to establish compliance with this Section. Evidence shall be required when the Department has reason to believe that there is not full compliance with this Part and that the information is necessary to ensure compliance.

- iv) That each sponsor shall submit to the Department written notice of program offerings, including program offerings of subcontractors, 30 days prior to course dates. Notice shall include the description, location, date and time of the program to be offered; a copy of sample program with faculty, course materials and syllabi.

B) A copy of sample program with faculty, course materials and syllabi.

3) All programs shall:

A) Contribute to the advancement, extension and enhancement of the professional skills and knowledge of the individual registrant in the practice of shorthand reporting;

B) Include one or more of the following subjects directly related to the shorthand reporter's ability to produce accurate and timely transcripts:

- i) English, including grammar, punctuation, general principles, spelling, vocabulary, etymology, usage, semantics, regional and minority dialects or colloquialisms, English history, transcript styles;
- ii) Medical, including Greek and Latin derivatives, homonyms, abbreviations, surgical procedures, pharmacy, anatomy and physiology, specialized medical fields (i.e., neurology, dentistry, radiology, gastroenterology), with emphasis on terminology and techniques or concepts likely to be encountered during litigation;

iii) Legal, including terminology, research techniques, presentations on the various subdivisions of law (i.e., criminal torts, domestic relations, corporate, admiralty, patent, environmental) and procedural law (i.e., depositions, trials, administrative proceedings) presentations by legal specialists or experts in the field, history of the American/world legal system;

iv) Technical subjects presented by experts with emphasis on terminology and concepts encountered by the shorthand reporter during litigation (i.e., accident reconstruction, chemistry, construction, geology, insurance, maritime, aerospace, products liability, industrial and environmental pollution);

v) Technology related to new developments in the field of reporting (i.e., computer technology, computer techniques, video, telecommunications, equipment

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

maintenance);

vi) General litigation procedures as they relate to court, deposition and administrative proceedings (i.e., reporting depositions, court hearings, arbitrations, conventions and the court reporter's responsibility with regard to these proceedings, notary responsibilities, marking exhibits, reading back, going on and off the record, review of statutes, rules related to the reporter);

vii) Transcript preparation, including indexing of witnesses, exhibits, formats, dictating, editing and scoping, reference libraries and research techniques, proofreading; and

viii) Management, including financial, marketing, personnel, equipment maintenance, time and stress management;

C) Be relevant to the needs of shorthand reporters and also to the reporting service needs of the users;

D) Be developed and presented by persons with education and/or experience in the subject matter of the program;

E) Specify for whom the program is primarily designed, the course objectives, course content and teaching methods to be used; and

F) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for renewal of the certification of registration.

4) Each CE program shall provide a mechanism for evaluation of the program by the participants. The evaluation may be completed on-site immediately following the program or an evaluation questionnaire may be distributed to participants to be completed and returned by mail. The sponsor and the instructor, together, shall review the evaluation outcome and revise subsequent programs accordingly.

5) An approved sponsor may subcontract with individuals and organizations to provide approved programs.

6) Continuing education credits may be awarded for home study courses and correspondence courses, provided they are courses administered by approved sponsors.

7) All programs given by approved sponsors shall be open to all registered shorthand reporters and not be limited to members of a single organization or group.

8) Continuing education credit hours used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the State of Illinois.

9) To maintain approval as a sponsor, each sponsor shall submit to the Department by May 31 of each odd-numbered year a renewal application, file required a \$900 fee set forth in Section 1200.50 of this Part, and a list of courses and programs offered within

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

the last 24 months. The list shall include a brief description, location, date and time of each course given.

- 10) Certificate of Attendance. It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The sponsor's certificate of attendance shall contain:

- A) The name, address and certificate number of the sponsor;
- B) The name and address of the participant;
- C) A brief statement of the subject matter;
- D) The number of hours attended in each program;
- E) The date and place of the program; and
- F) The signature of the sponsor.

- 11) The sponsor shall maintain attendance records for not less than 5 years.

- 12) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.

- 13) Upon the failure of a sponsor to comply with any of the foregoing requirements, the Department, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 110.0), shall thereafter refuse to accept for CE credit attendance at or participation in any of that sponsor's CE programs until such time as the Department receives assurances of compliance with this Section.

- 14) Notwithstanding any other provision of this Section, the Department or Board may evaluate any sponsor of any approved CE program at any time to ensure compliance with requirements of this Section.

- d) Activities Not Qualifying for CE Credit

- 1) Certain activities that shall not be considered acceptable for continuing education credits include, but shall not be limited to, the following:

- A) Attendance or participation at professional or association business meetings, conferences, general sessions, elections, policymaking sessions or program orientation;
- B) Serving on committees;
- C) Entertainment and recreation;
- D) Tours, visiting exhibits;
- E) Any function for which the registrant receives remuneration as part of his/her regular employment;
- F) In-house training on office equipment; and
- G) Courses with a main thrust of teaching nonverbal skills (i.e., golf, tennis, dancing, basket-weaving).

- e) Certification of Compliance with CE Requirements

- 1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements set forth in subsections (a) and (b) above.

- 2) The Department shall conduct random audits to verify compliance

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

with CE requirements.

- 3) The Department may require additional evidence (e.g., certificate of attendance). This additional evidence shall be required in the context of the Department's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.

- 4) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

- f) Continuing Education Earned in Other Jurisdictions

- 1) If a registrant has earned CE hours offered in another state or territory not given by an approved sponsor for which the licensee will be claiming credit toward full compliance in Illinois, the applicant shall submit an individual program approval request form, along with a \$25 processing fee, prior to participation in the program or within 90 days of completion of the CE program and prior to expiration of the license. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section. Applicants may seek individual program approval prior to the participation in the program.

- 2) If a licensee fails to submit an out of state CE approval form within the required time frame, late approval may be obtained by submitting the approval request form with the \$25 processing fee plus a \$10 per hour late fee not to exceed \$150. The Board shall review and recommend approval and disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.

- g) Restoration of Nonrenewed or Inactive Certificate of Registration. Upon satisfactory evidence of compliance with CE requirements, the Department shall restore the certificate upon payment of the required fee as provided by Section 1200.50 of this Part.

- h) Waiver of CE Requirements

- 1) Any renewal applicant seeking renewal of a certificate of registration without having fully complied with these CE requirements shall file with the Department a renewal application along with the required fee set forth in Section 1200.50 of this Part, a statement setting forth the facts concerning non-compliance and request a waiver of the CE requirements on the basis of these facts. A request for waiver shall be made prior to the renewal date. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted that extreme hardship has been shown for granting a waiver, the Department shall waive enforcement of CE requirements for the renewal period for which the applicant has

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

applied.

- A) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:
  - i) Full-time service in the armed forces of the United States during a substantial part of the prerenewal period;
  - ii) An incapacitating illness documented by a statement from a currently licensed physician;
  - iii) A physical inability to travel to the sites of approved programs documented by a currently licensed physician;
  - iv) Being retired from practice and not performing any reporting services; or
  - v) Any other similar extenuating circumstances.
- B) Persons employed as full-time court reporters under the Court Reporters Act [705 ILCS 70] may apply for a waiver from the continuing education requirements. The waiver shall be granted upon the submission of evidence satisfactory to the Department (i.e., statement from employer) that the certified shorthand reporter is employed as a full-time court reporter under the Court Reporters Act.
- 2) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section, shall be deemed to be in good standing until the final decision on the application is made by the Department.

(Source: Amended at 23 Ill. Reg. **71023**, effective **JUN 4 1999**)

## Section 1200.90 Standards of Professional Conduct

In order to establish and maintain a high standard of integrity in the practice of shorthand reporting, the following Standards of Professional Conduct shall be binding on every person holding a certificate of registration as a certified shorthand reporter.

- a) A licensee shall be fair and impartial toward each participant in all aspects of reported proceedings.
- b) A licensee should only accept an assignment if his/her level of competence will result in the preparation of an accurate transcript and will remove himself/herself from an assignment if he/she believes his/her abilities are inadequate, recommending or assigning another licensee only if such licensee has the competence required for such assignment.
- c) A licensee, if requested, shall provide information regarding services to be rendered regarding administration of professional services to

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

- a) All parties. The licensee must strive to meet promised delivery dates whenever possible, make timely delivery of transcripts when no date is specified, and provide immediate notification of delays.
- d) A licensee shall be alert to situations that are conflicts of interest or that may give the appearance of a conflict of interest. If a conflict arises, the licensee must disclose that conflict or potential conflict.
- e) A licensee who becomes impaired and unable to function according to the standards of practice should immediately seek inactive status and refrain from practice. It is the licensee's responsibility to seek supervision and/or personal therapy for any problem that is interfering with the ability to perform professional services.
- f) A licensee shall preserve the confidentiality and ensure the security of information, oral or written, entrusted to the licensee by any and all of the parties in a proceeding.
- g) It is the licensee's responsibility to preserve his/her shorthand notes for a period of no less than five years, except as otherwise prescribed by law, through storage of the original paper notes and/or an electronic copy of either the shorthand notes or the English transcript of the notes on computer disks, cassettes, backup tape systems, or optical or laser disk systems.
- h) A licensee's signature, license number and expiration date shall be affixed to a transcript of his/her stenographic notes to certify to its correctness if the transcript has been prepared by him/her or under his/her direct supervision.
- i) A licensee shall not permit the use of his/her name or firm's name, nor shall a licensee be associated in business ventures with persons or firms that the licensee has reason to believe to be engaging in fraudulent or dishonest business practices.
- j) A licensee having knowledge of any alleged violation of the Certified Shorthand Reporter Act shall cooperate with the Department or appropriate governmental agency, furnishing such information or assistance as may be required to conduct an investigation resulting from a complaint.
- k) The licensee shall at all times be aware of and avoid not only the fact of, but the appearance of, impropriety, which may include, but is not limited to:
  - 1) The establishment of contingent fees as a basis of compensation.
  - 2) The giving or receiving of, directly or indirectly, any gift, incentive, reward or anything of value to anyone as a condition for the performance of professional services.
  - 3) The offering to pay, either directly or indirectly, any commission or other consideration in order to secure professional assignments.
  - 4) The entering into any financial relationship, written or oral, with counsel, parties in interest or their intermediaries that:
    - A) undermines the actual or perceived impartiality of the court reporter; or

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

B) does not provide or offer any party in interest comparable court reporting services in the same proceedings.

l) A licensee shall be truthful and accurate when making public statements or when advertising qualifications or services provided.

m) A licensee shall meet all mandated continuing education requirements and should keep abreast of current literature and technological advances and developments.

n) The Department hereby incorporates by reference "The Code of Ethics" of the National Court Reporters Association, 118 Park Street, S.E., Vienna, Virginia 22180, with no later amendments or editions.

(Source: Added at 23 Ill. Reg. **7102** effective **JUN 4 1999**)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Hospital Services

2) Code Citation: 89 Ill. Adm. Code 148

3) Section Numbers: 148.297  
Adopted Action: Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [30 ILCS 5/12-13]

5) Effective Date of Amendments: June 1, 1999

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: January 22, 1999 (23 Ill. Reg. 847)

10) Has JCAR issued a Statement of Objections to these amendments? No

11) Differences Between Proposal and Final Version: No changes have been made in the text of the proposed amendments.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any other amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
148.140	Amendment	April 9, 1999 (23 Ill. Reg. 4176)
148.295	Amendment	April 9, 1999 (23 Ill. Reg. 4176)

15) Summary and Purpose of Amendments: These amendments concerning pediatric outpatient adjustment payments governed by Section 148.297 relate to amendments that were adopted on November 25, 1998, and published in the *Illinois Register* on December 11, 1998, at 23 Ill. Reg. 21490. These recently adopted provisions regarding hospital services allow for changes in reimbursements in order to better maintain access to outpatient services provided through children's hospitals. However, because of two technical numerical errors in the adopted amendments that affect the calculation methodology used to determine the pediatric outpatient



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

adjustment payments for qualifying hospitals, these amendments are necessary to provide the pertinent corrections.

An expenditure increase of approximately \$12.2 million was the budgetary increase statement for the amendments of November 1998 and remains the current expectation on the basis of these corrections.

16) Information and questions regarding these adopted amendments shall be directed to:

Joanne Jones  
Bureau of Rules and Regulations  
Illinois Department of Public Aid  
201 South Grand Avenue East, Third Floor  
Springfield, Illinois 62763  
(217) 524-0081

The full text of the adopted amendments begins on the next page:

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMS

PART 148  
HOSPITAL SERVICES

Section	
148.10	Hospital Services
148.20	Participation
148.25	Definitions and Applicability
148.30	General Requirements
148.40	Special Requirements
148.50	Covered Hospital Services
148.60	Services Not Covered as Hospital Services
148.70	Limitation On Hospital Services
148.80	Organ Transplants Services Covered Under Medicaid (Repealed)
148.82	Organ Transplants Services
148.90	Heart Transplants (Repealed)
148.100	Liver Transplants (Repealed)
148.110	Bone Marrow Transplants (Repealed)
148.120	Disproportionate Share Hospital (DSH) Adjustments
148.130	Outlier Adjustments for Exceptionally Costly Stays
148.140	Hospital Outpatient and Clinic Services
148.150	Public Law 103-66 Requirements
148.160	Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over Three Million
148.170	Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act
148.175	Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act
148.180	Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting
148.190	Copayments
148.200	Alternate Reimbursement Systems
148.210	Filing Cost Reports
148.220	Pre September 1, 1991 Admissions
148.230	Admissions Occurring on or after September 1, 1991
148.240	Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements
148.250	Determination of Alternate Payment Rates to Certain Exempt Hospitals
148.260	Calculation and Definitions of Inpatient Per Diem Rates
148.270	Determination of Alternate Cost Per Diem Rates for All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals
148.280	Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements
148.285	Excellence in Academic Medicine Payments

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

148-290 Adjustments and Reductions to Total Payments  
 148-295 Critical Hospital Adjustment Payment (CHAP)  
 148-296 Supplemental Critical Hospital Adjustment Payments (SCHAP)  
 148-297 Pediatric Outpatient Adjustment Payments  
 148-298 Pediatric Inpatient Adjustment Payments  
 148-300 Payment  
 148-310 Review Procedure  
 148-320 Alternatives  
 148-330 Exemptions  
 148-340 Subacute Alcoholism and Substance Abuse Treatment Services  
 148-350 Definitions  
 148-360 Types of Subacute Alcoholism and Substance Abuse Treatment Services  
 148-368 Volume Adjustment (Repealed)  
 148-370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services  
 148-380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services  
 148-390 Hearings  
 148-400 Special Hospital Reporting Requirements

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, VI, and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency of 150 days; amended at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 17648, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 Ill. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. 9552, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822, effective July 2, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency amendment at 21 Ill. Reg. 13675, effective September 27, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 16161, effective November 26, 1997; amended at 22 Ill. Reg. 1408, effective December 29, 1997; amended at 22 Ill. Reg. 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 15027, effective August 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16273, effective August 28, 1998; amended at 22 Ill. Reg. 21490, effective November 25, 1998; amended at 23 Ill. Reg. 5784, effective April 30, 1999; amended at 23 Ill. Reg. ~~7115~~ 7115, effective ~~JUN 1 1999~~ JUN 1 1999.

## Section 148.297 Pediatric Outpatient Adjustment Payments

Pediatric Outpatient Adjustment Payments shall be made to all eligible hospitals excluding county-owned hospitals, as described in Section 148.25(b)(1)(A), and hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B), for outpatient services occurring on or after July 1, 1998, in accordance with this Section.

- a) To qualify for payments under this Section, a hospital must:
  - 1) be a children's hospital, as defined in 89 Ill. Adm. Code 149.50(c)(3), and
  - 2) have a Pediatric Medicaid Outpatient Percentage greater than 80 percent during the Pediatric Outpatient Adjustment Base Period.
- b) Hospitals qualifying under this Section shall receive the following amounts for the Pediatric Outpatient Adjustment Rate Year for dates of services occurring on or after July 1, 1998, but before January 1,

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## 1999:

- 1) For hospitals with a Medicaid Inpatient Utilization Rate (MIUR) that is less than 75 percent, the product of:
  - A) the hospital's MIUR plus one, multiplied by
  - B) the number of Pediatric Adjustable Outpatient Services, multiplied by
  - C) \$185.
- 2) For hospitals with an MIUR that is greater than or equal to 75 percent, the product of:
  - A) one and one-half the hospital's MIUR plus one, multiplied by
  - B) the number of Pediatric Adjustable Outpatient Services, multiplied by
  - C) \$185.
- c) Hospitals qualifying under this Section shall receive the following amounts for the Pediatric Outpatient Adjustment Rate Year for dates of services occurring on or after January 1, 1999:
  - 1) For out-of-state cost reporting hospitals with an MIUR that is less than 75 percent, the product of:
    - A) for dates of services occurring on or after January 1, 1999, but before July 1, 1999:
      - i) the hospital's MIUR plus 1.3 three, multiplied by
      - ii) the number of Pediatric Adjustable Outpatient Services, multiplied by
      - iii) \$185.
    - B) for dates of services occurring on or after July 1, 1999:
      - i) the hospital's MIUR plus 1.15 one--and--one-half, multiplied by
      - ii) the number of Pediatric Adjustable Outpatient Services, multiplied by
      - iii) \$185.
  - 2) For Illinois hospitals with an MIUR that is less than 75 percent, the product of:
    - A) the hospital's MIUR plus one, multiplied by
    - B) the number of Pediatric Adjustable Outpatient Services, multiplied by
    - C) \$185.
  - 3) For Illinois hospitals with an MIUR that is greater than or equal to 75 percent, the product of:
    - A) one and one-half the hospital's MIUR plus one, multiplied by
    - B) the number of Pediatric Adjustable Outpatient Services, multiplied by
    - C) \$185.
  - d) In addition to the reimbursement rates described in subsection (b) above, hospitals that have an MIUR that is greater than or equal to 80 percent shall receive an additional \$250,000 during the Pediatric Outpatient Adjustment Rate year.
  - e) Adjustments under this Section shall be paid on a quarterly basis.
  - f) Definitions

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- 1) "Medicaid Inpatient Utilization Rate (MIUR)", as used in this Section, has the same meaning as ascribed in Section 148.120(k)(5), in effect for the rate period October 1, 1996, through September 30, 1997.
- 2) "Pediatric Adjustable Outpatient Services" means the number of outpatient services, excluding procedure code 0080, adjudicated through a UR92 billing form and grouped through the Hospital Ambulatory Care Groupings, as defined in Section 148.140(b)(1), during the Pediatric Outpatient Adjustment Base Period. For a hospital, which includes a facility devoted exclusively to caring for children, that is separately licensed as a hospital by a municipality, Pediatric Adjustment Outpatient Services will include psychiatric services (categories of service 27 or 28) for children less than 18 years of age, that are billed through the affiliated general care hospital.
- 3) "Pediatric Medicaid Outpatient Percentage" means a percentage that results from the quotient of the total Pediatric Adjustable Outpatient Services for persons less than 18 years of age divided by the total Pediatric Adjustable Outpatient Services for all persons, during the Pediatric Outpatient Adjustment Base Period.
- 4) "Pediatric Outpatient Adjustment Base Period" means all services billed to the Department, excluding procedure code 0080, with State Fiscal Year 1996 dates of service that were adjudicated by the Department on or before March 31, 1997.
- 5) "Pediatric Outpatient Adjustment Rate Year" means State Fiscal Year 1998 and each State Fiscal Year thereafter.

(Source: Amended 23 Ill. Reg.

**JUN 1 1999**)**7115**, effective

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers: Adopted Action:  
 140.430 Amendment  
 140.431 Amendment  
 140.432 Amendment  
 140.433 Amendment  
 140.434 Amendment  
 140.438 New Section  
 140.467 Amendment  
 140.560 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Amendments: June 1, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: November 30, 1998 (22 Ill. Reg. 20511)
- 10) Has JCAR issued a statement of objections to these adopted amendments? No
- 11) Differences Between Proposal and Final Version:  
 Several changes have been made in the text of the proposed rulemaking.  
 In the Table of Contents, for the title of Section 140.431, "Laboratories" has been changed to "laboratories".
- Section 140.431**  
 In subsection (b)(5), "Health" has been changed to "healthy".
- Section 140.434**  
 In subsection (b), "which" has been changed to "that".
- Section 140.438**

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- In subsection (a)(1), (a)(5), (a)(6), (c)(1) and (e)(2), "which" has been changed to "that".
- The last sentence of subsection (a)(4) has been changed to read: "The professional must be practicing within the scope of his or her specific practice Act and professional license."
- In subsection (a)(5), "Food and Drug Administration (FDA)" has been changed to "Illinois Department of Nuclear Safety", and "[see 32 Ill. Adm. Code 370]" has been added after "mammography centers".
- In subsection (b)(3), "FDA" has been changed to the "Illinois Department of Nuclear Safety".
- In subsection (c)(1), "serves which" has been changed to "services that".
- In subsection (e)(2)(B), "must contain" has been changed to "containing".
- In subsection (e)(2)(F), "practitioners" has been changed to "practitioner's".
- Section 140.560**  
 In the third sentence of subsection (b), the comma after "report" has been stricken, and "which" has been changed to "that".
- In the second sentence of subsection (f), "which" has been changed to "that", and "bed" has been changed to "beds".
- In subsection (f)(7)(A), "census which" has been changed to "census that", and in subsection (f)(7)(B), a parenthesis has been added after "varies".
- In subsection (f)(7)(C), "DHS's" has been changed to "DHS".
- In the first sentence of subsection (f)(9)(A), "which" has been changed to "that".
- No other changes have been made in the text of the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect? No
- 14) Are there any other amendments pending on this Part? Yes
- Sections 140.461**  
Proposed Action  
Amendment  
Illinois Register Citation  
January 4, 1999 (23 Ill. Reg. 128)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.462	Amendment	January 4, 1999 (23 Ill. Reg. 128)
140.463	Amendment	April 9, 1999 (23 Ill. Reg. 4203)
140.466	Amendment	April 9, 1999 (23 Ill. Reg. 4203)

- 15) Summary and Purpose of Amendments: These changes allow providers to enroll in a new category of service, imaging centers. New Section 140.438 concerning imaging centers covers definitions, participation requirements, covered services, reimbursement and record requirements. The Department will reimburse imaging centers for services including magnetic resonance imaging (MRI), mammograms, fluoroscopy, ultra sound, CT scans, nuclear medicine and x-rays on a fee-for-service basis.

Amendments have also been made to Sections 140.430 through 140.434, which pertain to laboratory services, to accommodate the imaging center provisions. These changes are necessary to define laboratory services as "clinical laboratory services" and to strike references to portable x-ray services in these laboratory related Sections.

These changes concerning imaging centers and laboratory services are necessary to allow providers to enroll for the new category of service, imaging centers, and bill the Department for the technical component of the services provided. Presently, the Department provides reimbursement for the technical component only if the equipment is owned by a single physician, or it is owned by a hospital, as long as it is on the hospital premises. However, payment is not made for the technical component if the equipment is owned by a group of physicians, or a corporation, or owned by a hospital but located off hospital premises. The amendments will permit providers to enroll and bill the Department properly and allow the Department to capture information from claims and improve service to clients. These changes will encourage hospitals to better serve their Medicaid clients through improved accessibility.

Other amendments have been made to Section 140.560 regarding downsizing to close or reduce the bed capacity of intermediate care facilities for persons with developmental disabilities (ICF/MR) that are downsizing either because of concerns relating to Department of Public Health licensure issues or for programmatic reasons. These changes pertain to ICF/MR certified facilities that are licensed for ICF/DD or SNF/PED services. The amendments provide an extensive description of the downsizing process, facility eligibility for downsizing and the specific effect of such downsizing on a facility's capital, support and program rates. These changes are intended to allow for payment increases that are necessary to insure that the rate structure remains proportionate to the decrease in resident population in such a facility. Final program rates will be determined according to the methodology described at 89 Ill. Adm. Code 144. Since the ICF/MR program falls under the responsibility of the Department of Human Services (DHS), and the Department of Public Aid serves as the State agency for capturing federal matching funds (FFP)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

under the Medicaid program, staff of DHS' Division of Disability and Behavioral Health Services have worked with Public Aid staff to prepare these proposed amendments.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Joanne Jones  
Bureau of Rules and Regulations  
Illinois Department of Public Aid  
201 South Grand Avenue East, Third Floor  
Springfield, Illinois 62763  
217/524-0081

The full text of the adopted amendments begins on the next page:

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER 1: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140  
MEDICAL PAYMENT

## SUBPART A: GENERAL PROVISIONS

Section	
140.1	Incorporation By Reference
140.2	Medical Assistance Programs
140.3	Covered Services Under Medical Assistance Programs
140.4	Covered Medical Services Under AFDC-WANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.5	Covered Medical Services Under General Assistance
140.6	Medical Services Not Covered
140.7	Medical Assistance Provided to Individuals Under the Age of Eighteen
140.8	Who Do Not Qualify for AFDC and Children Under Age Eight
140.9	Medical Assistance For Qualified Severely Impaired Individuals
140.10	Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-WANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
	Medical Assistance Provided to Incarcerated Persons

## SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section	
140.11	Enrollment Conditions for Medical Providers
140.12	Participation Requirements for Medical Providers
140.13	Definitions
140.14	Denial of Application to Participate in the Medical Assistance Program
140.15	Recovery of Money
140.16	Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17	Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.18	Effect of Termination on Individuals Associated with Vendor
140.19	Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
140.20	Submission of Claims
140.21	Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
140.22	Magnetic Tape Billings
140.23	Payment of Claims
140.24	Payment Procedures
140.25	Overpayment or Underpayment of Claims
140.26	Payment to Factors Prohibited

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.27	Assignment of Vendor Payments
140.28	Record Requirements for Medical Providers
140.30	Audits
140.31	Emergency Services Audits
140.32	Prohibition on Participation, and Special Permission for Participation
140.33	Publication of List of Terminated, Suspended or Barred Entities
140.35	False Reporting and Other Fraudulent Activities
140.40	Prior Approval for Medical Services or Items
140.41	Prior Approval in Cases of Emergency
140.42	Limitation on Prior Approval
140.43	Post Approval for Items or Services When Prior Approval Cannot Be Obtained
140.55	Recipient Eligibility Verification (REV) System
140.71	Reimbursement for Medical Services Through the Use of a C-13 Invoice
140.72	Voucher Advance Payment and Expedited Payments
140.73	Drug Manual (Recordified)
	Drug Manual Updates (Recordified)

## SUBPART C: PROVIDER ASSESSMENTS

Section	
140.80	Hospital Provider Fund
140.82	Developmentally Disabled Care Provider Fund
140.84	Long Term Care Provider Fund
140.94	Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund
140.95	Hospital Services Trust Fund
140.96	General Requirements (Recordified)
140.97	Special Requirements (Recordified)
140.98	Covered Hospital Services (Recordified)
140.99	Hospital Services Not Covered (Recordified)
140.100	Limitation on Hospital Services (Recordified)
140.101	Transplants (Recordified)
140.102	Heart Transplants (Recordified)
140.103	Liver Transplants (Recordified)
140.104	Bone Marrow Transplants (Recordified)
140.110	Disproportionate Share Hospital Adjustments (Recordified)
140.116	Payment for Inpatient Services for GA (Recordified)
140.117	Hospital Outpatient and Clinic Services (Recordified)
140.200	Payment for Hospital Services During Fiscal Year 1982 (Recordified)
140.201	Payment for Hospital Services After June 30, 1982 (Repealed)
140.202	Payment for Hospital Services During Fiscal Year 1983 (Recordified)
140.203	Limits on Length of Stay by Diagnosis (Recordified)
140.300	Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recordified)
140.350	Copayments (Recordified)
140.360	Payment Methodology (Recordified)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.361 Non-Participating Hospitals (Recodified)  
 140.362 Pre July 1, 1989 Services (Recodified)  
 140.363 Post June 30, 1989 Services (Recodified)  
 140.364 Prepayment Review (Recodified)  
 140.365 Base Year Costs (Recodified)  
 140.366 Restructuring Adjustment (Recodified)  
 140.367 Inflation Adjustment (Recodified)  
 140.368 Volume Adjustment (Recodified)  
 140.369 Groupings (Recodified)  
 140.370 Rate Calculation (Recodified)  
 140.371 Payment (Recodified)  
 140.372 Review Procedure (Recodified)  
 140.373 Utilization (Recodified)  
 140.374 Alternatives (Recodified)  
 140.375 Exemptions (Recodified)  
 140.376 Utilization, Case-Mix and Discretionary Funds (Recodified)  
 140.390 Substance Alcoholism and Substance Abuse Services (Recodified)  
 140.391 Definitions (Recodified)  
 140.392 Types of Substance Alcoholism and Substance Abuse Services (Recodified)  
 140.394 Payment for Substance Alcoholism and Substance Abuse Services (Recodified)  
 140.396 Rate Appeals for Substance Alcoholism and Substance Abuse Services (Recodified)  
 140.398 Hearings (Recodified)

## SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section  
 140.400 Payment to Practitioners, Nurses and Laboratories  
 140.410 Physicians' Services  
 140.411 Covered Services by Physicians  
 140.412 Services Not Covered by Physicians  
 140.413 Limitation on Physician Services  
 140.414 Requirements for Prescriptions and Dispensing of Pharmacy Items - Physicians  
 140.416 Optometric Services and Materials  
 140.417 Limitations on Optometric Services  
 140.418 Department of Corrections Laboratory  
 140.420 Dental Services  
 140.421 Limitations on Dental Services  
 140.422 Requirements for Prescriptions and Dispensing Items of Pharmacy Items - Dentists  
 140.425 Podiatry Services  
 140.426 Limitations on Podiatry Services  
 140.427 Requirement for Prescriptions and Dispensing of Pharmacy Items - Podiatry  
 140.428 Chiropractic Services

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.429 Limitations on Chiropractic Services (Repealed)  
 140.430 Independent Clinical Laboratory Services  
 140.431 Services Not Covered by Independent Clinical Laboratories Laboratory  
 140.432 Limitations on Independent Clinical Laboratory Services  
 140.433 Payment for Clinical Laboratory Services  
 140.434 Record Requirements for Independent Clinical Laboratories  
 140.435 Nurse Services  
 140.436 Limitations on Nurse Services  
 140.438 Imaging Centers  
 140.440 Pharmacy Services  
 140.441 Pharmacy Services Not Covered  
 140.442 Prior Approval of Prescriptions  
 140.443 Filling of Prescriptions  
 140.444 Compounded Prescriptions  
 140.445 Legend Prescription Items (Not Compounded)  
 140.446 Over-the-Counter Items  
 140.447 Reimbursement  
 140.448 Returned Pharmacy Items  
 140.449 Payment of Pharmacy Items  
 140.450 Record Requirements for Pharmacies  
 140.451 Prospective Drug Review and Patient Counseling  
 140.452 Mental Health Clinic Services  
 140.453 Definitions  
 140.454 Types of Mental Health Clinic Services  
 140.455 Payment for Mental Health Clinic Services  
 140.456 Hearings  
 140.457 Therapy Services  
 140.458 Prior Approval for Therapy Services  
 140.459 Payment for Therapy Services  
 140.460 Clinic Services  
 140.461 Clinic Participation, Data and Certification Requirements  
 140.462 Covered Services in Clinics  
 140.463 Clinic Service Payment  
 140.464 Healthy Moms/Healthy Kids Managed Care Clinics (Repealed)  
 140.465 Speech and Hearing Clinics (Repealed)  
 140.466 Rural Health Clinics  
 140.467 Independent Clinics  
 140.468 Hospice  
 140.469 Home Health Services  
 140.470 Home Health Covered Services  
 140.471 Types of Home Health Services  
 140.472 Prior Approval for Home Health Services  
 140.473 Payment for Home Health Services  
 140.474 Medical Equipment, Supplies and Prosthetic Devices  
 140.475 Medical Equipment, Supplies and Prosthetic Devices for Which Payment Will Not Be Made  
 140.477 Limitations on Equipment, Supplies and Prosthetic Devices  
 140.478 Prior Approval for Medical Equipment, Supplies and Prosthetic Devices

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.479	Limitations, Medical Supplies
140.480	Equipment Rental Limitations
140.481	Payment for Medical Equipment, Supplies and Prosthetic Devices
140.482	Family Planning Services
140.483	Limitations on Family Planning Services
140.484	Payment for Family Planning Services
140.485	Healthy Kids Program
140.486	Limitations on Medicheck Services (Repealed)
140.487	Healthy Kids Program Timeliness Standards
140.488	Periodicity Schedule, Immunizations and Diagnostic Laboratory Procedures
140.490	Medical Transportation
140.491	Limitations on Medical Transportation
140.492	Payment for Helicopter Transportation
140.493	Psychological Services
140.495	Payment for Psychological Services
140.496	Hearing Aids
140.497	
Section	
140.500	Long Term Care Services
140.501	Cessation of Payment at Federal Direction
140.502	Cessation of Payment for Improper Level of Care
140.503	Cessation of Payment Because of Termination of Facility
140.504	Continuation of Payment Because of Threat To Life (Repealed)
140.505	Provider Voluntary Withdrawal
140.506	Continuation of Provider Agreement
140.507	Determination of Need for Group Care
140.510	Long Term Care Services Covered by Department Payment
140.511	Utilization Control
140.512	Utilization Review Plan (Repealed)
140.513	Certifications and Recertifications of Care
140.514	Management of Recipient Funds--Personal Allowance Funds
140.515	Recipient Management of Funds
140.516	Correspondent Management of Funds
140.517	Facility Management of Funds
140.518	Use or Accumulation of Funds
140.519	Management of Recipient Funds--Local Office Responsibility
140.520	Room and Board Accounts
140.521	Reconciliation of Recipient Funds
140.522	Bed Reserves
140.523	Cessation of Payment Due to Loss of License
140.524	Quality Incentive Program (QUIP) Payment Levels
140.525	Quality Incentive Standards and Criteria for the Quality Incentive Program (QUIP) (Repealed)
140.526	Quality Incentive Survey (Repealed)
140.527	

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.528	Payment of Quality Incentive (Repealed)
140.529	Reviews (Repealed)
140.530	Basic of Payment for Long Term Care Services
140.531	General Service Costs
140.532	Health Care Costs
140.533	General Administration Costs
140.534	Ownership Costs
140.535	Costs for Interest, Taxes and Rent
140.536	Organization and Pre-Operating Costs
140.537	Payments to Related Organizations
140.538	Special Costs
140.539	Reimbursement for Basic Nursing Assistant, Developmental Disabilities Aide, Basic Child Care Aide and Habilitation Aide Training and Nursing Assistant Competency Evaluation
140.540	Costs Associated With Nursing Home Care Reform Act and Implementing Regulations
140.541	Salaries Paid to Owners or Related Parties
140.542	Cost Reports--Filing Requirements
140.543	Time Standards for Filing Cost Reports
140.544	Access to Cost Reports (Repealed)
140.545	Penalty for Failure to File Cost Reports
140.550	Update of Operating Costs
140.551	General Service Costs
140.552	Nursing and Program Costs
140.553	General Administrative Costs
140.554	Component Inflation Index
140.555	Minimum Wage
140.560	Components of the Base Rate Determination
140.561	Support Costs Components
140.562	Nursing Costs
140.563	Capital Costs
140.565	Kosher Kitchen Reimbursement
140.566	Out-of-State Placement
140.567	Level II Incentive Payments (Repealed)
140.568	Duration of Incentive Payments (Repealed)
140.569	Clients With Exceptional Care Needs
140.570	Capital Rate Component Determination
140.571	Capital Rate Calculation
140.572	Total Capital Rate
140.573	Other Capital Provisions
140.574	Capital Rates for Rented Facilities
140.575	Newly Constructed Facilities (Repealed)
140.576	Renovations (Repealed)
140.577	Capital Costs for Rented Facilities (Renumbered)
140.578	Property Taxes
140.579	Specialized Living Centers
140.580	Mandated Capital Improvements (Repealed)
140.581	Qualifying as Mandated Capital Improvement (Repealed)



DEPARTMENT OF PUBLIC AID  
NOTICE OF ADOPTED AMENDMENTS

140.582 Cost Adjustments  
140.583 Campus Facilities  
140.584 Illinois Municipal Retirement Fund (IMRF)  
140.590 Audit and Record Requirements  
140.642 Screening Assessment for Nursing Facility and Alternative Residential Settings and Services  
140.643 In-Home Care Program  
140.645 Home and Community Based Services Waivers for Medically Fragile, Technology Dependent, Disabled Persons Under Age 21  
140.646 Reimbursement for Developmental Training (DT) Services for Individuals with Developmental Disabilities Who Reside in Long Term Care (ICF AND SNF) and Residential (ICF/MR) Facilities  
140.647 Description of Developmental Training (DT) Services  
140.648 Determination of the Amount of Reimbursement for Developmental Training (DT) Programs  
140.649 Effective Dates of Reimbursement for Developmental Training (DT) Programs  
140.650 Certification of Developmental Training (DT) Programs  
140.651 Certification of Day Programs  
140.652 Terms of Assurances and Contracts  
140.680 Effective Date of Payment Rate  
140.700 Discharge of Long Term Care Residents  
140.830 Appeals of Rate Determinations  
140.835 Determination of Cap on Payments for Long Term Care (Repealed)

## SUBPART F: MEDICAID PARTNERSHIP PROGRAM

Section  
140.850 General Description (Repealed)  
140.855 Definition of Terms (Repealed)  
140.860 Covered Services (Repealed)  
140.865 Sponsor Qualifications (Repealed)  
140.870 Sponsor Responsibilities (Repealed)  
140.875 Department Responsibilities (Repealed)  
140.880 Provider Qualifications (Repealed)  
140.885 Provider Responsibilities (Repealed)  
140.890 Payment Methodology (Repealed)  
140.895 Contract Monitoring (Repealed)  
140.896 Reimbursement For Program Costs (Active Treatment) For Clients In Long Term Care Facilities For the Developmentally Disabled (Repealed)  
140.900 Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities (Repealed)  
140.901 Functional Areas of Needs (Repealed)  
140.902 Service Needs (Repealed)  
140.903 Definitions (Repealed)  
140.904 Times and Staff Levels (Repealed)  
140.905 Statewide Rates (Repealed)

DEPARTMENT OF PUBLIC AID  
NOTICE OF ADOPTED AMENDMENTS

140.906 Reconsiderations (Repealed)  
140.907 Midnight Census Report (Repealed)  
140.908 Times and Staff Levels (Repealed)  
140.909 Statewide Rates (Repealed)  
140.910 Referrals (Repealed)  
140.911 Basic Rehabilitation Aide Training Program (Repealed)  
140.912 Interim Nursing Rates (Repealed)  
SUBPART G: MATERNAL AND CHILD HEALTH PROGRAM  
Section  
140.920 General Description  
140.922 Covered Services  
140.924 Maternal and Child Health Provider Participation Requirements  
140.926 Client Eligibility (Repealed)  
140.928 Client Enrollment and Program Components (Repealed)  
140.930 Reimbursement  
140.932 Payment Authorization for Referrals (Repealed)

## SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

Section  
140.940 Illinois Competitive Access and Reimbursement Equity (ICARE) Program (Repealed)  
140.942 Definition of Terms (Repealed)  
140.944 Notification of Negotiations (Repealed)  
140.946 Hospital Participation in ICARE Program Negotiations (Repealed)  
140.948 Negotiation Procedures (Repealed)  
140.950 Factors Considered in Awarding ICARE Contracts (Repealed)  
140.952 Closing an ICARE Area (Repealed)  
140.954 Administrative Review (Repealed)  
140.956 Payments to Contracting Hospitals (Repealed)  
140.958 Admitting and Clinical Privileges (Repealed)  
140.960 Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Repealed)  
140.962 Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Repealed)  
140.964 Contract Monitoring (Repealed)  
140.966 Transfer of Recipients (Repealed)  
140.968 Validity of Contracts (Repealed)  
140.970 Termination of ICARE Contracts (Repealed)  
140.972 Hospital Services Procurement Advisory Board (Repealed)  
TABLE A Medichex Recommended Screening Procedures (Repealed)  
TABLE B Geographic Areas  
TABLE C Capital Cost Areas  
TABLE D Schedule of Dental Procedures



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.940 thru 140.972 reclassified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16321, effective September 26, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 13, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 13 Ill. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 reclassified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.998 reclassified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 reclassified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14394, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12092, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 12622, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1993; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

maximum of 150 days; emergency amendment suspended effective October 12, 1993; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg. 7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; emergency amendment at 22 Ill. Reg. 13117, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16302, effective August 26, 1998; amended at 22 Ill. Reg. 19979, effective September 30, 1998; amended at 22 Ill. Reg. 19998, effective October 30, 1998; emergency amendment at 22 Ill. Reg. 22108, effective December 1, 1998; for a maximum of 150 days; amended at 23 Ill. Reg. 5796, effective April 30, 1999; amended at 23 Ill. Reg. ~~7122~~ 7122 effective ~~JUN 1 1999~~ JUN 1 1999.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.430 Independent Clinical Laboratory Services

- Payment for clinical ~~and/or portable x-ray~~ laboratory services may be made to a laboratory that is independent both of a physician's practice and of a hospital.
- In order to participate in the Medical Assistance Program, the independent laboratory must be licensed and certified for participation in the Medicare program. Approval for participation in the program is not transferable and shall only apply to the location and the owner specified on the laboratory's enrollment application.
- Payment shall be made for only those laboratory services that have been ordered in writing by the referring practitioner as being essential to diagnosis and treatment. The practitioner must include the diagnosis or condition on the written request.

(Source: Amended at 23 Ill. Reg. ~~7122~~ 7122 effective ~~JUN 1 1999~~ JUN 1 1999)Section 140.431 Services Not Covered by Independent Clinical Laboratories Laboratory

- Payment shall not be made for any service that a clinical laboratory is not Medicare certified to provide.
- Payment shall not be made for the following clinical ~~clinical~~ laboratory services:
  - Any test which has not been performed on the laboratory's premises, by the laboratory's staff, using the laboratory's equipment and supplies.
  - The collection and handling of specimens obtained for referral to another laboratory.
  - Laboratory tests that which are available without charge from other sources, including the Illinois Department of Public Health. The Department will pay, however, for throat cultures when the referring physician determines use of a Department of Public Health laboratory would result in delay in diagnosis and treatment.
  - Sensitivity studies when a culture shows no growth or when a growth is identified as beta hemolytic streptococcus streptococcus.
  - Tests ordered for Healthy Kids Medshek screening purposes.
  - Tests and study of specimens referred as a result of an autopsy examination.
  - Laboratory services provided to recipients eligible for Medicare Part B benefits when the Medicare intermediary determines that the services are not medically necessary.
  - Laboratory services when not specifically required by the condition for which the recipient is being treated.



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- c) X-ray laboratory services for which payment shall not be made include:  
 1) Portable x-ray laboratory services provided at a place other than the recipient's place of residence. The referring physician must verify the recipient is physically unable to travel to an alternate source for  
 2) Routine screening x-rays.

(Source: Amended at 23 Ill. Reg.

7122 effectiveJUN 1 1999)

## Section 140.432 Limitations on Independent Clinical Laboratory Services

The Department shall pay for the following services only when they are provided in accordance with the limitations specified:

- a) Vitamin B-12 testing - only in those cases in which a completed blood count has shown a macrocytic homochromic anemia and a high lactic dehydrogenase.  
 b) Home Visits - only when the recipient's attending physician indicates on the order that the recipient is physically unable to travel to the laboratory and if it is the custom of the laboratory to charge the general public a home visit fee in addition to the fee for the laboratory service.  
 c) Routine, multi-channel multiphasic (battery) tests - only those instances where the tests performed are consistent with the recipient's diagnosis and/or conditions.

(Source: Amended at 23 Ill. Reg.

7122 effectiveJUN 1 1999)

## Section 140.433 Payment for Clinical Laboratory Services

- a) Payment for allowable laboratory services includes payment for collection and handling of specimens by laboratory personnel, use of laboratory equipment and supplies, and the written report of test results to the referring practitioner.  
 b) Payment for allowable laboratory services provided to recipients who are not eligible for Medicare Part B benefits is based on the laboratory's usual and customary charges within the limitations established by the Department (see Section 140.400).  
 c) For recipients eligible for Medicare Part B Coverage, payment is made on deductible and coinsurance amounts up to the limitations established by the Department for the service.  
 d) Payment for three or more blood chemistries performed on the same specimen is made on a basis related to the use of automated equipment.  
 e) When the laboratory performs profile testing, it must bill the Department by profile. The Department considers two or more thyroid tests performed on the same specimen to be profile testing.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- (Source: Amended at 23 Ill. Reg. 7122 effective  
JUN 1 1999)

## Section 140.434 Record Requirements for Independent Clinical Laboratories

- a) In addition to the record requirements specified in Section 140.28, independent clinical laboratories must comply with the administrative rules of the Illinois Department of Public Health governing the State regulations that govern maintenance of medical records that are found at 7-68-issued-by-the-Illinois-Department-of-Public-Health-and contained in "Rules for Clinical Laboratories and Blood Banks" (to be codified as 77 Ill. Adm. Code 450, Illinois Clinical Laboratories Code).  
 b) The basic records that which must be retained include, but are not limited to:  
 1) All original orders from practitioners for laboratory services for Public Aid recipients.  
 2) All copies of reports to referring practitioners.  
 3) Records that which verify usual and customary charges to the general public.  
 c) In the absence of proper and complete records, no payment will be made and end/or payments previously made for which services that are not documented will be recouped.

(Source: Amended at 23 Ill. Reg.

7122 effectiveJUN 1 1999)

## Section 140.438 Imaging Centers

- a) Definitions  
 1) "Imaging Center" means any distinct entity that operates primarily for the purpose of providing diagnostic imaging services. Services provided at an imaging center shall be reimbursed on a fee-for-service basis only and shall not include hospital based clinics that are adjacent to or on the premises of a hospital.  
 2) "Imaging Services" include the technical and professional services provided at an imaging center.  
 3) "Technical Component" includes services that are furnished in connection with imaging services such as the use of the equipment.  
 4) "Professional Component" includes services that are furnished by a medical professional in reading the image provided by an imaging center. The professional must be practicing within the scope of his or her specific practice Act and professional license.  
 5) "Mammography Screening Centers" provide low level preventive,

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

diagnostic, or maintenance screening mammography services, and must be Illinois Department of Nuclear Safety certified screening mammography centers see (32 Ill. Adm. Code 370) that are registered with the Medicare program.

- 6) "Portable X-ray Services" are imaging services limited to x-ray and certain other diagnostic procedures, certified by Medicare, that are performed at the client's place of residence and that are ordered by a referring physician.

## b) Participation Requirements for Imaging Centers

- 1) To participate in the Illinois Medical Assistance program, an imaging center must, in addition to any other Department requirements, be licensed or certified:

- A) for participation in the Medicare program; or
  - B) by the Joint Commission on Accreditation of Health Care Organizations (JCAHO) or
  - C) by a local or public health department; or
  - D) by any government agency having jurisdiction over the services provided and/or the equipment being used.
- 2) Portable x-ray facilities shall be approved and certified for participation in the Medicare program. Portable x-ray services may also include diagnostic procedures other than x-rays (for example, EKGs).

- 3) Mammography screening centers shall be certified by the Illinois Department of Nuclear Safety.

## c) Services Covered by Imaging Centers

- 1) The Department will reimburse imaging centers for the following services that are paid on a fee-for-service basis only:

- A) Magnetic Resonance Imaging (MRI);
- B) Mammograms;
- C) Fluoroscopy services;
- D) Ultra sound;
- E) CT scans;
- F) Nuclear medicine; and
- G) X-rays.

- 2) Reimbursement shall be made for only those imaging services that have been ordered in writing by the referring practitioner as being essential to diagnosis and treatment. The practitioner must include the diagnosis or condition on the written request.

- 3) Reimbursement shall be made only to providers who meet all applicable license, enrollment and reimbursement conditions of the Department.

## d) Services Not Covered by Imaging Centers

- 1) Portable x-ray services provided at a place other than the recipient's place of residence.
- 2) Routine screening x-rays, except for mammograms.

## e) Record Requirements for Imaging Centers

- 1) In addition to the record requirements specified in Section 140.28, imaging centers must comply with the administrative rules

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

of the Illinois Department of Public Health governing the maintenance of medical records (77 Ill. Adm. Code 450, Illinois Clinical Laboratories Code).

- 2) The basic records that must be retained include:

- A) Patient identification.
- B) Medical records containing the dates of service and the name of the referring physician.
- C) The referring practitioner's written orders.
- D) Copies of reports to referring practitioners.
- E) The report of the reading by the professional practitioner if both professional and technical components are billed by the imaging center.

- F) The report of the reading by the professional practitioner that must be retained in the professional practitioner's office if only the professional component is billed by the practitioner.

- G) Records that verify usual and customary charges to the general public.

- 3) Medical records for Medical Assistance program clients must be made available to the Department or its designated representative in the performance of audits or investigations.

(Source: Added at 23 Ill. Reg. 7122, effective JUN 1 1999)

## Section 140.467 Independent Clinics

- a) Payment for all other Medicaid covered services provided by an independent clinic will be made on a fee-for-service basis, that is, the lower of charges or the Department's established maximum for the service, not to exceed the lowest Medicare reimbursement charge levels.

- b) Payments to independent clinics will be subject to two-way reconciliation of payments to reasonable costs.

(Source: Amended at 23 Ill. Reg. 7122, effective JUN 1 1999)

## SUBPART E: GROUP CARE

## Section 140.560 Components of the Base Rate Determination

Except as specified otherwise in this Section, rates calculated for the rate year beginning July 1, 1990, and for subsequent years thereafter shall be based on the facility's cost report for the facility's full fiscal year ending at any point in time during the previous calendar year as long as that cost report is filed prior to April 1. Otherwise, the latest cost report available on March 31 will be used to set rates for July 1. For example, if a facility with a

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

December 31, 1989 year end files their cost report prior to April 1, 1990, that cost report will be used to set rates for the rate year to begin on July 1, 1990. In this example, if the December 31, 1989 cost report is not filed until after March 31, 1990, the December 31, 1988 cost report will be used to set rates for the rate year to begin on July 1, 1990.

a) In the case of a change in ownership of a previously certified facility, the rate issued to the previous owner will be in effect for the remainder of the rate year. A new rate will be calculated for the next rate year based on the new owner's cost report if a cost report covering a minimum of the first six months of operation is received by the Office of Health Finance prior to April 1st. If a cost report cannot be filed with the Office of Health Finance prior to April 1st, the rate will be calculated based upon the prior owner's cost report filed in accordance with the opening paragraph of this Section. A cost report which has not been completed in accordance with the Department's rules and cost report instructions will not be considered as received until all cost report pages are properly completed.

b) In the case of a new facility, capital reimbursement will be assigned on the receipt of the first cost report (which may be an abbreviated cost report). The support reimbursement will be set at the median for that region. The facility must then file a six month cost report (beginning with the date the first patient was admitted) that which contains actual historical cost information. The capital and support rates will then be recalculated based upon this cost report. Rates so calculated will become effective go into effect on the first day of the first month after the six month cost report is received by the Department's Office of Health Finance. The facility must obtain written verification of the initial cost reporting periods from the Office of Health Finance.

c) When a construction addition to the building will increase the licensed bed capacity by ten or more, the facility may file a revised cost report reflecting the increased capital investment. If this revised cost report is filed within 30 days after the date of the increase in licensure as determined by the Illinois Department of Public Health, any increase in the capital rate will be effective on the effective date of licensure increase. If the revised cost report is filed more than 30 days after the effective date of increase in licensure, any increase in the capital rate will be effective on the first day of the first month after the report is received by the Finance Section.

d) Once a rate for an individual facility has been calculated, a new rate will not be calculated during the course of the rate year except as provided in subsections (b) and (c) of this Section above.

e) If a facility incurs building construction improvements which increase the total building cost for the current year by ten or more percent or more and which would raise the base year, then the nursing home may file a revised cost report which reports the increased capital

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

investment. The base year is defined in Section 140.570(b)(2). If the improvements have been completed and put into use prior to the forthcoming rate year and the cost report reflecting increased capital costs is filed prior to the beginning of the next rate year, then any increase in the capital rate will be effective on the first day of the rate year.

f) In order to accommodate the downsizing to close or reduce reduction-in-bed capacity of ICF/MR facilities licensed for ICF/DD or SNF/PED services, the following provisions will apply for revisions-to-rates. These provisions only apply for facilities with 17 or more licensed beds that which decrease their total licensed beds licensure-level by 20 percent 24% or more due to a decrease in the beds licensed as ICF/DD or SNF/PED. The reduced bed capacity must be necessary appropriate to achieve one or more of the following goals: (1) achieve compliance with ICF/MR regulations, such as four or fewer persons per room, (2) achieve compliance with ICF/MR regulations in an adverse action as part of a Plan of Correction (see the Department of Public Health Rules at 77 Ill. Adm. Code 300.278/1) and (3) increase available space in order to provide active treatment services to residents, and permit the voluntary closure of a facility in order to achieve community placement to settings of size eight or fewer residents, provided sufficient funds are available to the Department of Human Services (DHS) persons with severe physical and/or mental conditions--i.e., persons who need services under Specialized Care Health and Sensory Disabilities--bevis-ii and/or--iii--(69--iii--Adm-Code-144:150).

1) The facility must request pre-approval for application of these provisions from the DHS Deputy Director of the Division of Disability and Behavioral Health Services (DBHS) Department's Division of Medical Operations. The written request describe the necessity to reduce licensed bed capacity. The facility must submit a proposed timetable for the downsizing, including send-a-schedule-of the projected dates of each decrease in census and the census on that date (the benchmark). Written approval may be granted if DHS the Deputy Director determines the change will be beneficial for the ICF/DD or SNF/PED residents. If approval is granted, DHS will enter into a downsizing agreement with the facility with provisions including the downsizing plan, benchmarks, rate adjustments and items of compliance regarding the safety and placement of resident.

2) The reduction in the number of licensed beds must be completed within a one year period following the DBHS Deputy Director's approval, unless a longer reduction period is approved by the Deputy Director at the onset of the plan. Not fewer than 90 days prior to the projected end date of the downsizing plan, the facility must make application to the Department of Public Health (DPH) for a formal licensure change to reflect the number of licensed beds, if any, to remain at the conclusion of the



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

downsizing plan. The effective date of the licensed bed change will be the actual date the final resident benchmark census objective is reached.

3) A facility is ineligible for downsizing if the facility has been notified in writing by DPH of a need for a Plan of Correction for non-compliance with conditions of participation. Type A violations, licensure non-compliance, or because the facility has been declared an "immediate and serious threat" to the welfare of any resident or residents in the one year period preceding the date of a request for application of these downsizing provisions unless the DPHHS Director has granted the facility a waiver of this one year requirement.

4) When DPH notifies a facility in writing of a need for a Plan of Correction for non-compliance with conditions of participation, Type A violations, licensure non-compliance, or because the facility has been declared an "immediate and serious threat" to the welfare of any resident, the facility may seek DHS approval of a downsizing plan concurrently as part of a Plan of Correction to DPH in accordance with the time frames and process allotted by DPH. If a downsizing application is not made at this time and as part of a Plan of Correction, the facility is ineligible for downsizing.

5) During the downsizing period, the facility may not accept any admissions except with explicit permission of DHS. The facility must agree to make every effort to insure immediate notification (within 72 hours) to DHS and to the local DHS office of all changes in recipient enrollment, eligibility, income, assets, earnings and other status. The facility must agree to make available to DHS and interested parties such records as necessary to disclose the type and quantity of care provided to specific residents, as well as physicians' reports, need for care, level of functioning and orders for service. The facility must agree to provide access to resident care records and facility records and policies concerning resident care throughout the downsizing period.

6) The capital and support rates in effect at the time of approval of the downsizing plan (exclusive of any flat add-on rate increases) will initially be set based upon provisions in Sections 140-578 through 140-574 with the use of capital days-at-a-level which is no less than 938 of the license level at the time of application for downsizing. The support rate will be calculated in accordance with provisions in Section 140-561. The census used to calculate rates under this subsection is referred to as the original census in subsection (f)(4). These initial rates will be modified for downsizing in accordance with subsection (f)(9) of this Section (f)(4).

7) The capital and support rates will be revised with the achievement of the benchmarks specified in the downsizing

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

agreement every six months during the approved downsizing period. These rates will also be revised on duty 1 of each year. The facility must file reports of days of care provided, as requested by the Department.

A) The capital rate will be increased in proportion to the agreed upon decrease in the census achieved at the end of each benchmark period from the census at the start of the downsizing period for the six-month period. For example, with an original census of 98 residents at the start of the downsizing period and the achievement of a reduction of eight residents to reach the benchmark of 90 residents 18750 days--and a projected census of 167425, the initial \$7.11 \$6.00 capital rate will be increased to \$8.07 \$6.67 as follows: (the initial capital rate) is multiplied by (the original census that which has been divided by the achieved census--the projected census), or  $(\$7.11\$6.00) \times (98/90)$  = 1.009 18750/167425 = \$8.07 \$6.67. The projected census for each six-month period will be adjusted by any difference between the projected census for the previous period and the actual census for the previous period.

B) The support rate will be increased in proportion to the planned decrease in census achieved at the end of each benchmark period from the census at the start of the downsizing period during the six-month period, with the assumption that 50 percent 50% of the support costs are fixed and 50 percent 50% of the support rate is variable (for example, costs vary as the number of residents varies). The fixed variable half of the support rate will be increased in proportion to the achieved decrease at the end of each benchmark period planned census decrease over the six-month period. For example, with an original support rate of \$22 \$22.00, the estimated support rate for the six month period would be  $((1.5 \times \$22) \times (98/90 18750/167425)) + (1.5 \times \$22) = \$22.98 \$23.28$ . The projected census for each six-month period will be adjusted by any difference between the projected census for the previous period and the actual census for the previous period.

C) The program rate will be set according to the methodology described in DHS rules at 89 Ill. Adm. Code 144 (exclusive of any flat add-on increases) 144-295.

8) The support rate for ICF/DD facilities may not exceed the facility's geographic area ceiling. Facilities having SNF/PED licenses, which are reducing facility census to comply with ICF/MR regulations which limit the number of persons per bedroom to four or fewer, may exceed increase the facility's geographic area ceiling but by no more than 125 percent. The exception allowing SNF/PED facilities to exceed the support rate geographic area ceiling will only be based on the reduction in census to



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

attain four or fewer persons per bedroom. If a SNF/PRD facility reduces census below that required to attain four persons per bedroom, the support rate may not exceed the facility's geographic area ceiling.

- 2) At the conclusion of the downsizing period the capital, support and program rates will be determined as follows:

A) The capital rate component will be fixed at the final downsizing rate and will remain in effect until such time as the rate methodology in effect produces a rate based on the downsized licensed capacity that surpasses the downsized capital rate amount. The final downsized capital rate will be increased by funding changes such as cost of living increases, when given. All space in the facility must continue to be used as an ICF/DD or SNF/PRD. Use of the facility for an on-site developmental training program, school services or uses unrelated to the operation of the facility as an ICF/DD or SNF/PRD, will require the calculation of the capital rate according to the methodology of Sections 140-570 through 140-574 after an adjustment of the facility's capital costs in proportion to the involved square footage. This capital rate will be effective the first day of the month following the change in space usage. Capital improvements to the downsized facility may be made and will be reimbursed as an increase to the downsized capital rate determined as the applicable percentage rate of return of the capital methodology times the per diem per bed reported amount of the improvement. The support rate in effect at the end of the downsizing period will remain in effect until a cost report covering the first six months of operation of the downsized facility is submitted as would be applicable to a new facility in accordance with provisions in subsection (b) of this Section. These six-month costs and the corresponding days of care will be used to set the support rate in accordance with the support component rate methodology in effect.

- B) The program rate will be set according to the methodology described at 89 Ill. Adm. Code 144.

## 6) Bed-Reserves

Facilities with a downsizing agreement with the Department will be exempt during the period of downsizing from the 93% or higher occupancy requirement which is specified in Section 140-537-Bed Reserves. Once the final agreed-upon census has been achieved all bed-reserve requirements will again be in effect beginning with the quarter following completion of the downsizing agreement (January 1, April 1, July 1 or October 1).

(Source: Amended at 23 Ill. Reg. 7122, effective  
JUN 1 1999)

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning Private Letter Rulings in the *Illinois Register*:

Name of Act: Illinois Department of Revenue Sunshine Act

Citation: 20 ILCS 2515

2. Summary of information:

Index of Department of Revenue sales tax Private Letter Rulings and General Information Letters issued for the First Quarter of 1999. Private letter rulings are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. Private letter rulings are binding on the Department only as to the taxpayer who is the subject of the request for ruling. (See 86 Ill. Adm. Code 1200.110) General information letters are issued by the Department in response to written inquiries from taxpayers, taxpayer representatives, business, trade, industrial associations or similar groups. General information letters contain general discussions of tax principles or applications. General information letters are designed to provide general background information on topics of interest to taxpayers. General information letters do not constitute statements of agency policy that apply, interpret, or prescribe tax laws administered by the Department. General information letters may not be relied upon by taxpayers in taking positions with reference to tax issues and create no rights for taxpayers under the Taxpayers' Bill of Rights Act. (See 86 Ill. Adm. Code 1200.120)

The letters are listed numerically, are identified as either a General Information Letter or a Private Letter Ruling and are summarized with a brief synopsis under the following subjects:

Agents  
Agricultural Producers  
and Products  
Assessments  
Automobile Renting Tax  
Bingo  
Books and Records  
Bulk Sales  
C.O.A.D.  
Certificate of Registration  
Charitable Games  
Cigarette Tax  
Claims for Credit  
Coal Fueled Devices  
Coal Mining Equipment  
Coins & Precious Metals

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

Computer Software  
 Construction Contractors  
 Cooperative Associations  
 Delivery Charges  
 Distillation Machinery  
 Drug Tax Stamps  
 Drugs  
 Enterprise Zones  
 Exempt Organizations  
 Farm Machinery & Equipment  
 Federal Excise Tax  
 Financial Institutions  
 Food  
 Food, Drugs & Medical Appliances  
 Governmental Bodies  
 Graphic Arts  
 Gross Receipts  
 High Impact Business  
 Hotel Operators' Tax  
 Interest  
 Interstate Commerce  
 Itinerant Vendors  
 Invested Capital Tax  
 Leasing  
 Liquor Tax  
 Local Taxes  
 Mandatory Service Charges  
 Manufacturer's Purchase Credit  
 Manufacturers  
 Manufacturing Machinery  
 & Equipment  
 Medical Appliances  
 Miscellaneous  
 Motor Fuel Tax  
 Motor Vehicles  
 Newspaper & Ink  
 Nexus  
 Nonprofit Institutions  
 Occasional Sale  
 Oil Field Equipment  
 Penalties  
 Pollution Control Facilities  
 Prepaid Sales Tax  
 Products of Photoprocessing  
 Property Tax  
 Public Utility Taxes  
 Real Estate Transfer Tax  
 Repairs

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

Replacement Vehicle Tax  
 Request for Information  
 Returns  
 Rolling Stock Exemption  
 Sale at Retail  
 Sale for Resale  
 Sale of Service  
 Service Occupation Tax  
 Signature  
 Special Order  
 Statute of Limitations  
 Tax Collection  
 Tax Increment Financing  
 Tax Rate  
 Telecommunications Excise Tax  
 Temporary Storage  
 Tire User Fee  
 Trade-Ins  
 Use Tax  
 Vehicle Use Tax  
 Vendors

## ASSESSMENTS

ST 99-0053-GIL 02/03/1999 A taxpayer can apply to the Department's Administrative Hearings Office for a "rehearing" on an assessment in the context of being granted an original review in the case of failure to protest the Notice of Tax Liability timely. See 86 Ill. Adm. Code 200.175. (This is a GIL.)

## AUTOMOBILE RENTING TAX

ST 99-0039-GIL 01/12/1999 Auto dealers incur Automobile Renting Occupation Tax liability when those dealers provide vehicles to repair customers for short-term periods and are compensated by manufacturers. See 35 ILCS 155. (This is a GIL.)

## BOOKS AND RECORDS

ST 99-0098-GIL 03/19/1999 Generally taxpayers are required to maintain business books and records during any period for which the Illinois Department of Revenue is authorized to issue a Notice of Tax Liability (NTL). See 86 Ill. Adm. Code 130.815. (This is a GIL.)

DEPARTMENT OF REVENUE  
NOTICE OF PUBLIC INFORMATION

## CERTIFICATE OF REGISTRATION

ST 99-0013-GIL 01/04/1999 Section 2a of the Retailers' Occupation Tax Act requires that Illinois retailers obtain certificates of registration from the Department. See 35 ILCS 120/2a (This is a GIL.)

## CHARITABLE GAMES

ST 99-0063-GIL 02/05/1999 The entire net proceeds from the sale of pull tabs must be exclusively devoted to the lawful purposes of the licensee (230 ILCS 20/4(1)). See 86 Ill. Adm. Code 432.160. (This is a GIL.)

## CIGARETTE TAX

ST 99-0089-GIL 02/25/1999 Manufacturers of cigarettes may seek a distributor's license and collect Illinois cigarette tax from retailers in this State if they meet the qualifications contained in the statute. See 35 ILCS 130/4b. (This is a GIL.)

## CLAIMS FOR CREDIT

ST 99-0078-GIL 02/17/1999 No claim for credit can be approved unless the claimant shows that he has borne the burden of the tax or has unconditionally refunded the amount of the tax to the customers from whom it was collected. See 86 Ill. Adm. Code 130.1501. (This is a GIL.)

## C.O.A.D.

ST 99-0049-GIL 02/02/1999 Coin-in-the-slot operated amusement devices and redemption machines are legal in Illinois when conducted in accordance with the provisions of the Coin-Operated Amusement Device and Redemption Machine Tax Act and all regulations promulgated there under. See 35 ILCS 510 and corresponding regulations at 86 Ill. Adm. Code 460.101 et seq. (This is a GIL.)

DEPARTMENT OF REVENUE  
NOTICE OF PUBLIC INFORMATION

ST 99-0082-GIL 02/19/1999 In Illinois, if a machine qualifies as a coin-operated amusement device or a redemption machine, its operation does not violate the Criminal Code so long as it is licensed and operated in compliance with the Coin-Operated Amusement Device and Redemption Machine Tax Act. See 35 ILCS 510. (This is a GIL.)

## COMPUTER SOFTWARE

ST 99-0002-PLR 01/08/1999 Licenses of computer software are not taxable if they meet all of the criteria listed in Section 130.1935(a)(1). See 86 Ill. Adm. Code 130.1935. (This is a PLR.)

ST 99-0004-PLR 01/12/1999 This letter discusses the requirements to qualify as a nontaxable license of computer software. See, 86 Ill. Adm. Code 130.1935. (This is a PLR.)

ST 99-0006-PLR 01/20/1999 Transactions for the licensing of computer software may not be subject to ROT if the transaction agreements contain all the criteria set out in 86 Ill. Adm. Code 130.1935(a)(1). (This is a PLR.)

ST 99-0008-PLR 02/24/1999 Transactions for the licensing of computer software may not be subject to ROT if the transaction agreements contain all the criteria set out in 86 Ill. Adm. Code 130.1935(a)(1). (This is a PLR.)

ST 99-0033-GIL 01/11/1999 Generally, sales of "canned" computer software are taxable retail sales in Illinois. See 86 Ill. Adm. Code 130.1935. (This is a GIL.)

ST 99-0084-GIL 02/24/1999 Generally, sales of "canned" computer software are taxable retail sales in Illinois regardless of the form in which the software is transferred. Sales of canned computer software that are transferred or downloaded over the Internet are taxable sales in Illinois. See 86 Ill. Adm. Code 130.1935. (This is a GIL.)

ST 99-0093-GIL 03/10/1999 Generally, sales of "canned" computer software are taxable retail sales in Illinois. See 86 Ill. Adm. Code 130.1935. (This is a GIL.)

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

ST 99-0108-GIL 03/23/1999 Generally, sales of "canned" computer software are taxable retail sales in Illinois regardless of the form in which the software is transferred. Therefore, sales of canned computer software over the Internet are taxable sales in Illinois. See 86 Ill. Adm. Code 130.1935. (This is a GIL.)

ST 99-0120-GIL 03/29/1999 Generally, sales of "canned" computer software are taxable retail sales in Illinois. See 86 Ill. Adm. Code 130.1935. (This is a GIL.)

## CONSTRUCTION CONTRACTORS

ST 99-0005-GIL 01/04/1999 Persons who permanently incorporate tangible personal property into real property are considered construction contractors for Retailers' Occupation Tax purposes. See 86 Ill. Adm. Code 130.1940. (This is a GIL.)

ST 99-0009-GIL 01/04/1999 Persons who and permanently affix tangible personal property to real estate act as construction contractors. See 86 Ill. Adm. Code 130.1940. (This is a GIL.)

ST 99-0020-GIL 01/07/1999 Construction contractors incur Retailers' Occupation Tax liability when they engage in selling any kind of tangible personal property to purchasers without permanently affixing the tangible personal property to real estate. See 86 Ill. Adm. Code 130.1940(b)(1). (This is a GIL.)

ST 99-0036-GIL 01/12/1999 In Illinois, construction contractors are deemed end users of tangible personal property purchased for incorporation into real property. See 86 Ill. Adm. Code 130.1940. (This is a GIL.)

ST 99-0043-GIL 01/29/1999 Persons who permanently affix tangible personal property to real estate act as construction contractors and incur Use Tax liability on their cost price of tangible personal property they physically incorporate into realty. When construction contractors manufacture tangible personal property they will affix to real estate, the tax base includes all costs of materials used in manufacturing the finished item as well as nails, screws or other items of tangible personal property that he buys and

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

incorporates into real estate for his customer in the course of making the installation of the finished item. See 86 Ill. Adm. Code 130.2075(a)(2). (This is a GIL.)

ST 99-0058-GIL 02/04/1999 Persons who permanently affix tangible personal property to real estate, thereby making improvements to real estate, are considered to be construction contractors. In Illinois, construction contractors are deemed to be the users of the items that they permanently affix to realty and owe Use Tax on the cost price of the tangible personal property that they so affix to real estate. See 86 Ill. Adm. Code 130.2075. (This is a GIL.)

ST 99-0061-GIL 02/08/1999 In Illinois, construction contractors (including subcontractors) are deemed end users of tangible personal property purchased for incorporation into real property. See 86 Ill. Adm. Code 130.1940 and 130.2075. (This is a GIL.)

ST 99-0092-GIL 03/08/1999 Construction contractors incur Retailers' Occupation Tax liability when they engage in selling tangible personal property to purchasers without permanently affixing the tangible personal property to real estate. See 86 Ill. Adm. Code 130.1940(b)(1). (This is a GIL.)

ST 99-0102-GIL 03/19/1999 When a retailer permanently affixes or incorporates a mobile home into real estate, that retailer is acting as a construction contractor for purposes of the Illinois sales tax laws. See 86 Ill. Adm. Code 130.1940. (This is a GIL.)

ST 99-0105-GIL 03/22/1999 In Illinois, construction contractors are deemed end users of tangible personal property purchased for incorporation into real property. As end users of such tangible personal property, contractors incur Use Tax liability for such purchases based upon the cost price of the tangible personal property. See 86 Ill. Adm. Code 130.1940 and 130.2075. (This is a GIL.)

## DELIVERY CHARGES

ST 99-0004-GIL 01/04/1999 The taxability of freight or delivery charges is set out at 86 Ill. Adm. Code 130.410.



DEPARTMENT OF REVENUE  
NOTICE OF PUBLIC INFORMATION

(This is a GIL.)

ST 99-0019-GIL 01/07/1999 Charges for shipping are gross receipts subject to ROT when they are part of the selling price of the tangible personal property being sold. See 86 Ill. Adm. Code 130.415. (This is a GIL.)

ST 99-0021-GIL 01/07/1999 In general, shipping and handling or delivery charges are includable in the gross receipts subject to tax unless the buyer and seller agree upon such charges separately from the selling price of the tangible personal property which is sold. In addition, such charges must be reflective of the costs of shipping and delivery. To the extent that these charges exceed the costs of shipping, they are subject to tax. See 86 Ill. Adm. Code 130.415. (This is a GIL.)

ST 99-0024-GIL 01/07/1999 Charges for shipping are gross receipts subject to ROT when they are part of the selling price of the tangible personal property being sold. See 86 Ill. Adm. Code 130.415. (This is a GIL.)

ENTERPRISE ZONES

ST 99-0009-PLR 03/09/1999 The enterprise zone building materials exemption allows retailers located in the municipality or unincorporated area of a county that established an enterprise zone to make tax-free sales of building materials that will be incorporated into real estate located in the enterprise zone by remodeling, rehabilitation or new construction. See 86 Ill. Adm. Code 130.1951. (This is a PLR.)

EXEMPT ORGANIZATIONS

ST 99-0017-GIL 01/06/1999 Exempt organizations that have E numbers are allowed to engage in a very limited amount of retail selling without incurring Retailers' Occupation Tax liability. See 86 Ill. Admin. Code 130.2005. (This is a GIL.)

ST 99-0023-GIL 01/07/1999 Exempt organizations that have E numbers are allowed to engage in a very limited amount of retail selling without incurring Retailers' Occupation Tax liability. See 86 Ill. Admin. Code

DEPARTMENT OF REVENUE  
NOTICE OF PUBLIC INFORMATION

130.2005. (This is a GIL.)

ST 99-0044-GIL 01/29/1999 Organizations that have secured tax exemption identification numbers from the Department are exempt from Use Tax when purchasing tangible personal property for use in furtherance of organizational purposes. See 86 Ill. Adm. Code 130.2005 and 130.2007. (This is a GIL.)

ST 99-0048-GIL 02/02/1999 Organizations that make application to the Department and are determined to be exclusively religious, educational, or charitable, receive an exemption identification "E" number. See 86 Ill. Adm. Code 130.2007. (This is a GIL.)

FOOD

ST 99-0066-GIL 02/05/1999 Vitamins and dietary supplements generally qualify for the reduced rate of tax applicable to food. See 86 Ill. Adm. Code 130.310. (This is a GIL.)

ST 99-0068-GIL 02/05/1999 Where establishments sell both food which has been prepared for immediate consumption and grocery-type items and also provide facilities for on-premises consumption, the lower rate of tax can be charged on the grocery-type items if the selling areas are separated and served by separate means of collection. See 86 Ill. Adm. Code 130.310(b)(3). (This is a GIL.)

FOOD, DRUGS & MEDICAL APPLIANCES

ST 99-0046-GIL 02/02/1999 Food is defined as any solid, liquid, powder or item intended by the seller primarily for human internal consumption, whether simple, compound or mixed, including foods such as condiments, spices, seasonings, vitamins, bottled water and ice. See 86 Ill. Adm. Code 130.310(b)(1). (This is a GIL.)

GAS REVENUE TAX

ST 99-0011-PLR 03/10/1999 This letter rules on questions regarding application of the Gas Revenue Tax to transactions in interstate commerce and transactions involving

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

customers who acquired contractual rights for the direct purchase of gas or gas services originating from an out-of-state supplier or source on or before March 1, 1995. See 35 ILCS 615. (This is a PIR.)

## GRAPHIC ARTS

ST 99-0013-PIR 03/24/1999 The Graphic Arts Machinery and Equipment Exemption extends to machinery and equipment that is used primarily (more than 50% of the time) in graphic arts' production. See 86 Ill. Adm. Code 130.325. (This is a PIR.)

## GROSS RECEIPTS

ST 99-0022-GIL 01/07/1999 If retailers offer discounted prices for items and do not receive any reimbursement or rebate for those discounts, the lower amounts received for those items would be the retailers' gross receipts for those sales. See 86 Ill. Adm. Code 130.401. (This is a GIL.)

ST 99-0045-GIL 01/04/1999 If a retailer accepts a coupon for which he will receive full or partial reimbursement, the value of that reimbursement must be included in the retailer's "gross receipts" that are subject to Retailers' Occupation Tax. See 86 Ill. Adm. Code 130.2125. (This is a GIL.)

ST 99-0050-GIL 02/02/1999 If the retailer separately states the mandatory gratuity charge, and if the gratuity is distributed to the servers or other employees who participated directly in serving, preparing, hosting, or cleaning up the food or beverage function with respect to which the mandatory gratuity is charged, the gratuity is not subject to Retailers' Occupation Tax. See 35 ILCS 120/2-5(15). (This is a GIL.)

ST 99-0119-GIL 03/29/1999 When retailers or other persons issue coupons which entitle the bearer to obtain an item of tangible personal property free of any charge whatever and not conditioned upon the purchase of other property, the furnishing of such tangible personal property does not constitute a sale under the Retailers' Occupation Tax and the retailers do not incur Retailers' Occupation Tax liability. See

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

86 Ill. Adm. Code 130.2125(c). (This is a GIL.)

## HOTEL OPERATORS' TAX

ST 99-0074-GIL 02/05/1999 Hotel operators incur Hotel Operators' Occupation Tax on room rentals to entities that would otherwise be exempt from sales tax (i.e. entities such as exclusively charitable, religious, or educational groups). See 86 Ill. Adm. Code 480.101(b)(3). (This is a GIL.)

ST 99-0107-GIL 03/23/1999 The Hotel Operators' Occupation Tax Act does not include any provision for the exemption of exclusively charitable, religious, or educational organizations, or for governments or their agencies. See 86 Ill. Adm. Code 480.101(b)(3). (This is a GIL.)

## INTERSTATE COMMERCE

ST 99-0077-GIL 02/17/1999 A boat dealer selling a boat to an out-of-state customer picking up the boat in Illinois is subject to tax. See 86 Ill. Adm. Code 130.605 (This is a GIL.)

ST 99-0112-GIL 03/25/1999 The Department's regulation, 86 Ill. Adm. Code 130.605, Sales of Property Originating in Illinois, states that where tangible personal property is located in this State at the time of its sale (or is subsequently produced in Illinois), and then delivered in Illinois to the purchaser, the sale is taxable if the sale is at retail. (This is a GIL.)

ST 99-0113-GIL 03/25/1999 The Retailers' Occupation Tax does not apply to the gross receipts from a sale in which the seller is obligated, under the terms of an agreement with the purchaser, to make the delivery of the property from a point in this State to a point outside this State, not to be returned to this State, provided that such delivery is actually made. See 86 Ill. Adm. Code 130.605(b). (This is a GIL.)

## LEASING

DEPARTMENT OF REVENUE  
NOTICE OF PUBLIC INFORMATION

ST 99-0079-GIL 02/19/1999 Lessors of tangible personal property under true leases in Illinois are deemed end users of the property to be leased. The only exception is the renter of automobiles under lease terms of one year or less. See 86 Ill. Adm. Code 130.220. (This is a GIL.)

ST 99-0096-GIL 03/19/1999 Lease agreements containing purchase options that are equal to the fair market value of the tangible personal property at the end of the lease term are considered true leases, and the lessors incur Use Tax liability on their cost price of tangible personal property purchased for rental purposes. See 86 Ill. Adm. Code 130.2010. (This is a GIL.)

ST 99-0099-GIL 03/19/1999 Lessors of tangible personal property under true leases in Illinois are deemed to be the end users of the items they lease. See 86 Ill. Adm. Code 130.220. (This is a GIL.)

ST 99-0110-GIL 03/25/1999 Under Illinois law, lessors under true lease agreements are deemed the users of items they purchase for rental purposes. Accordingly, lessors incur a Use Tax liability on such purchases. See 86 Ill. Adm. Code 130.2010. (This is a GIL.)

ST 99-0114-GIL 03/25/1999 Persons who purpose to "lease" the use of property, but in fact sell such tangible personal property to nominal "lessees," are considered to be making conditional sales subject to Retailers' Occupation Tax. See 86 Ill. Adm. Code 130.220. (This is a GIL.)

## LOCAL TAXES

ST 99-0080-GIL 02/19/1999 For the purpose of determining the local governmental unit whose tax is applicable, a retail sale, by a producer of coal or other mineral mined in Illinois, is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. See 86 Ill. Adm. Code 270.115(g)(1). (This is a GIL.)

ST 99-0081-GIL 02/19/1999 A tax is imposed, in Illinois, upon persons engaged in the business of selling at retail tangible personal property. See 35 ILCS 120/2 and

DEPARTMENT OF REVENUE  
NOTICE OF PUBLIC INFORMATION

2-10. (This is a GIL.)

## MANUFACTURER'S PURCHASE CREDIT

ST 99-0012-PUR 03/19/1999 Manufacturers and graphic arts producers use accumulated MPC by providing the retailer or serviceman with a SP-16-C Manufacturer's Purchase Credit Certificate or by incorporating such certification into the purchase order. See 86 Ill. Adm. Code 130.331(f). (This is a PUR.)

ST 99-0047-GIL 02/02/1999 The Manufacturer's Purchase Credit (MPC) may be used to satisfy Use Tax or Service Use Tax liability incurred on the purchase of qualifying "production related" tangible personal property. See 86 Ill. Adm. Code 130.331(b). (This is a GIL.)

ST 99-0075-GIL 02/08/1999 This letter answers a number of questions regarding reporting Manufacturers' Purchase Credit accepted by retailers. See, 86 Ill. Adm. Code 130.331. (This is a GIL.)

ST 99-0104-GIL 03/19/1999 Tangible personal property, such as paper and ink, that is purchased for transfer to customers does not qualify as production related tangible personal property that is "used or consumed" in a production related process. See 86 Ill. Adm. Code 130.331. (This is a GIL.)

## MANUFACTURING MACHINERY &amp; EQUIPMENT

ST 99-0030-GIL 01/10/1999 In general, the Retailers' Occupation Tax does not apply to sales of machinery and equipment used primarily in the manufacturing or assembling of tangible personal property for wholesale or retail sale or lease. See 86 Ill. Adm. Code 130.330. (This is a GIL.)

ST 99-0032-GIL 01/11/1999 The Retailers' Occupation Tax does not apply to sales of machinery and equipment used primarily in the manufacturing or assembling of tangible personal property for wholesale or retail sale or lease. See 86 Ill. Adm. Code 130.330. (This is a GIL.)

ST 99-0034-GIL 01/11/1999 The manufacturing machinery and equipment

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

exemption extends to repair and replacement parts as long as the parts are incorporated into machinery and equipment that is exempt under the regulation. See 86 Ill. Adm. Code 130.330(c). (This is a GIL.)

02/03/1999 The Retailers' Occupation Tax does not apply to sales of machinery and equipment used primarily in manufacturing or assembling tangible personal property for wholesale or retail sale or lease. See 86 Ill. Adm. Code 130.330. (This is a GIL.)

02/04/1999 Under the Retailers' Occupation Tax Act the manufacturing machinery and equipment exemption is available for machinery and equipment used primarily (over 50% of the time) in the manufacturing or assembling of tangible personal property for wholesale or retail sale or lease. See 86 Ill. Adm. Code 130.330. (This is a GIL.)

03/31/1999 Under the Retailers' Occupation Tax Act, the manufacturing machinery and equipment exemption extends to machinery and equipment that is used primarily (over 50% of the time) in the manufacturing or assembling of tangible personal property for wholesale or retail sale or lease. See 86 Ill. Adm. Code 130.330. (This is a GIL.)

## MEDICAL APPLIANCES

01/04/1999 A medical appliance is defined as an item which is intended by its manufacturer for use in directly substituting for a malfunctioning part of the body. See 86 Ill. Adm. Code 130.310(c). (This is a GIL.)

01/15/1999 A medical appliance is defined as an item which is intended by its manufacturer for use in directly substituting for a malfunctioning part of the body. See 86 Ill. Adm. Code 130.310(c). (This is a GIL.)

## MISCELLANEOUS

01/04/1999 This letter briefly describes the Manufacturing Machinery & Equipment exemption and the

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

Pollution Control Exemption. See 86 Ill. Adm. Code 130.330 and 130.335. (This is a GIL.)

02/04/1999 This letter directs the taxpayer to general Department publications regarding State and local sales taxes. See 35 ILCS 120. (This is a GIL.)

03/23/1999 In order to respond to a specific request concerning the application of a tax statute or regulation to a particular fact pattern, all of the information required for a Private Letter Ruling must be included in such a request. See 86 Ill. Adm. Code 1200.110(b)(1-8). (This is a GIL.)

## MOTOR FUEL TAX

02/03/1999 "Blending" is defined as the mixing together by any process whatsoever, of any one or more products with other products, and regardless of the original character of the products so blended, provided the resultant product so obtained is suitable or practicable for use as a motor fuel, except such blending as may occur in the process known as refining by the original refiner of crude petroleum, and except, also, the blending of products known as lubricating oil in the production of lubricating oils and greases. Taxpayers must file Schedule M with form RMT-5 to report blended products. See 86 Ill. Adm. Code 500.100 (This is a GIL.)

## ST 99-0087-GIL

02/24/1999 The County Motor Fuel Tax Law, 55 ILCS 5/5-1035.1, provides that the county board of the counties of DuPage, Kane and McHenry may impose a tax upon all persons engaged in the county in the business of selling motor fuel at motor fuel at retail for the operation of motor vehicles upon public highways or for the operation of recreational watercraft. (This is a GIL.)

## MOTOR VEHICLES

## ST 99-0071-GIL

02/08/1999 Section 10 of the Use Tax Act, 35 ILCS 105/10, provides that a purchaser of a motor vehicle from an out-of-State retailer shall file a return



## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

with the Department and remit the proper amount of tax due on the selling price of the motor vehicle price of the motor vehicle within 30 days after such motor vehicle is brought into this State for use. (This is a GIL.)

ST 99-0085-GIL

02/24/1999 Section 3 of the Retailers' Occupation Tax Act, 35 ILCS 120/3, states, in part, that with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells. (This is a GIL.)

## NEWSPRINT &amp; INK

ST 99-0014-PLR

03/29/1999 The publication listed in the letter qualifies as a magazine and is excluded from Retailers' Occupation Tax and Service Occupation Tax liability. See the enclosed copy of 86 Ill. Adm. Code 130.2105 and 140.125. (This is a PLR.)

ST 99-0064-GIL

02/05/1999 Gross receipts from sales of magazines are not subject to Retailers' Occupation Tax liability. See 86 Ill. Adm. Code 130.2105. (This is a GIL.)

## NEXUS

ST 99-0035-GIL

01/11/1999 An out-of-State seller falling under the definition of a "retailer maintaining a place of business in Illinois", as defined in 86 Ill. Adm. Code 150.201(i), is required to register with the State as an Illinois Use Tax collector. See 86 Ill. Adm. Code 150.801. (This is a GIL.)

ST 99-0065-GIL

02/05/1999 A "retailer maintaining a place of business in Illinois" as described in 86 Ill. Adm. Code 150.201(i), is required to register with the State as an Illinois Use Tax collector. See 86 Ill. Adm. Code 150.801. (This is a GIL.)

ST 99-0067-GIL

02/05/1999 This letter discusses the issue of nexus.

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

See Quill v. North Dakota, 112 S.Ct. 1902 (1992). (This is a GIL.)

ST 99-0116-GIL

03/25/1999 A "retailer maintaining a place of business in Illinois," as that term is described in 86 Ill. Adm. Code 150.201(i), is required to register with the State as an Illinois Use Tax collector. See 86 Ill. Adm. Code 150.801. (This is a GIL.)

## OCCASIONAL SALE

ST 99-0001-PLR

01/06/1999 Isolated or occasional sales of tangible personal property at retail by persons who do not hold themselves out as being engaged (or who do not habitually engage) in selling such tangible personal property at retail do not constitute engaging in a business of selling such tangible personal property at retail. See 86 Ill. Adm. Code 130.110. (This is a PLR.)

## POLLUTION CONTROL FACILITIES

ST 99-0003-GIL

01/04/1999 Purchasers of pollution control facilities must comply with the certification requirements in the Department's regulations otherwise the sale of such pollution control facilities is subject to tax. See 86 Ill. Adm. Code 130.335. (This is a GIL.)

ST 99-0040-GIL

01/13/1999 Equipment which is used for the primary purpose of reducing or eliminating pollution can qualify for the Pollution Control Facilities exemption. Equipment which is used primarily to provide an economic benefit cannot qualify for the exemption. See 86 Ill. Adm. Code 130.335. (This is a GIL.)

ST 99-0111-GIL

03/25/1999 Balers and other equipment used in recycling operations do not qualify as exempt pursuant to 86 Ill. Adm. Code 130.335. Such equipment does not reduce, prevent, or eliminate air or water pollution or treat or dispose of potentially harmful pollutants. (This is a GIL.)

## PUBLIC UTILITY TAXES

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

ST 99-0007-GIL 01/04/1999 Taxpayers under the Public Utility Revenue Act are liable for the public utility revenue tax with respect to gross receipts from the furnishing of electricity for use or consumption and not for resale. This is true even though the customer is a church or a charity. See 86 Ill. Adm. Code 510.170. (This is a GIL.)

ST 99-0088-GIL 02/25/1999 The Electricity Excise Tax Law, 35 ILCS 640, imposes a tax on the privilege of using in Illinois, electricity purchased for use or consumption and not for resale. (This is a GIL.)

ST 99-0117-GIL 03/26/1999 Sellers of electricity that do not deliver the electricity to their customers, do not qualify as delivering suppliers under the Electricity Excise Tax Law. See 35 ILCS 640/2-3. (This is a GIL.)

ST 99-0118-GIL 03/26/1999 The sale of natural gas or gas services in Illinois is subject to taxation under the Gas Revenue Tax Act. See 86 Ill. Adm. Code 470.110. (This is a GIL.)

## ROLLING STOCK EXEMPTION

ST 99-0003-PLR 01/11/1999 Form RUT-7, Rolling Stock Certification, may be used by servicemen to document the rolling stock exemption when they transfer qualifying tangible personal property incident to sales of service to interstate carriers for hire. See 86 Ill. Adm. Code 140.201(e)(4) and 86 Ill. Adm. Code 130.340. (This is a PLR.)

ST 99-0100-GIL 03/19/1999 The rolling stock exemption is available to interstate carriers for hire for use as rolling stock moving in interstate commerce or lessors under leases of one year or longer executed or in effect at the time of purchase to interstate carriers for hire for use as rolling stock moving in interstate commerce. The rolling stock must be moving in interstate commerce on a regular and frequent basis. See 86 Ill. Adm. Code 130.340. (This is a GIL.)

## SALE AT RETAIL

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

ST 99-0010-PLR 03/10/1999 Governmental units, including State agencies, incur Retailers' Occupation Tax liability when selling tangible personal property to the public for use or consumption. The only exception is the sale of an item of tangible personal property by a governmental unit in the performance of its governmental function. See 86 Ill. Adm. Code 130.2055. (This is a PLR.)

ST 99-0010-GIL 01/04/1999 This letter discusses the sales tax treatment of purchases and sales of motor vehicles in which funds are channeled through a Qualified Escrow Account. See 86 Ill. Adm. Code 130.1915. (This is a GIL.)

ST 99-0027-GIL 01/08/1999 The Illinois Retailers' Occupation Tax applies to purchases of tangible personal property at retail and is presently imposed at the rate of 6.25%, plus local taxes, if any. The tax is applicable to boats and other vessels purchased at retail. See 86 Ill. Adm. Code 130.101. (This is a GIL.)

ST 99-0069-GIL 02/08/1999 The Retailers' Occupation Tax Act imposes a tax upon persons engaged in this State in the business of selling tangible personal property to purchasers for use or consumption. See 35 ILCS 120/2. (This is a GIL.)

ST 99-0072-GIL 02/08/1999 The Illinois Retailers' Occupation Tax Act imposes a tax upon persons engaged in this State in the business of selling tangible personal property to purchasers for use or consumption. See 86 Ill. Adm. Code 130.101. (This is a GIL.)

ST 99-0091-GIL 02/26/1999 The Retailers' Occupation Tax Act imposes a tax upon persons engaged in the business of selling tangible personal property at retail in Illinois. See 86 Ill. Adm. Code 130.101. (This is a GIL.)

ST 99-0095-GIL 03/18/1999 The use in Illinois of tangible personal property purchased at retail from a retailer is subject to liability under the Illinois Retailers' Occupation and Use Tax Acts. (This is a GIL.)

ST 99-0109-GIL 03/23/1999 The Retailers' Occupation Tax Act, 35 ILCS 120, imposes a tax upon persons engaged in the business of selling tangible personal property at

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

retail in Illinois. See 35 ICS 120/2. (This is a GIL.)

## SALE FOR RESALE

ST 99-0012-GIL 01/04/1999 This letter sets out a standard drop-shipment situation. See 86 Ill. Adm. Code 130.1405. (This is a GIL.)

ST 99-0014-GIL 01/04/1999 Sales for resale should be documented by Certificates of Resale that contain the information set out in 86 Ill. Adm. Code 130.1405. (This is a GIL.)

ST 99-0015-GIL 01/05/1999 Nonreusable tangible personal property sold to food and beverage vendors, including persons engaged in the business of operating restaurants, cafeterias or drive-ins, is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverage occurs. See 86 Ill. Adm. Code 130.2070. (This is a GIL.)

ST 99-0016-GIL 01/06/1999 Sales of tangible personal property for the purpose of resale are not taxable so long as sellers obtain Certificates of Resale in accordance with 86 Ill. Adm. Code 130.1405. (This is a GIL.)

ST 99-0051-GIL 02/02/1999 Nonreusable tangible personal property sold to food and beverage vendors, including persons engaged in the business of operating restaurants, cafeterias or drive-ins, whereby such sale is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and are used to deliver, package, food or beverages and are consumed, regardless of where or consumed food or beverages, regardless of where consumption of the food or beverage occurs. See 86 Ill. Adm. Code 130.2070. (This is a GIL.)

ST 99-0055-GIL 02/04/1999 In order to document the fact that sales are sales for resale, taxpayers should obtain valid Certificates of Resale from their purchasers. See 86 Ill. Adm. Code 130.1405. (This is a GIL.)

ST 99-0086-GIL 02/24/1999 Raw materials that will be incorporated

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

into manufactured goods and resold may be purchased free of tax as purchases made for the purpose of resale. See 86 Ill. Adm. Code 130.1405(b). (This is a GIL.)

## SALE OF SERVICE

ST 99-0005-PLR 01/14/1999 If maintenance agreements or warranties are sold separately from tangible personal property, the sales of those agreements are not taxable transactions. However, when maintenance services or parts are provided under those maintenance agreements, the repair or service providers will be acting as service providers under the Service Occupation Tax Act. See 86 Ill. Adm. Code 140.301. (This is a PLR.)

ST 99-0007-PLR 02/24/1999 If maintenance agreements or warranties are sold separately from tangible personal property, the sales of those agreements are not taxable transactions. However, when maintenance services or parts are provided under those maintenance agreements, the repair or service providers will be acting as service providers under the Service Occupation Tax Act. See 86 Ill. Adm. Code 140.301. (This is a PLR.)

ST 99-0031-GIL 01/11/1999 Under the Service Occupation Tax Act, servicemen are taxed on tangible personal property transferred as an incident to sales of service. See 86 Ill. Adm. Code 140.101. (This is a GIL.)

ST 99-0090-GIL 02/25/1999 Under the Service Occupation Tax Act, servicemen are taxed on tangible personal property transferred incident to sales of service. See 86 Ill. Adm. Code 140.101. (This is a GIL.)

## SERVICE OCCUPATION TAX

ST 99-0006-GIL 01/04/1999 Under the Service Occupation Tax Act, servicemen are taxed on tangible personal property transferred incident to sales of service. See 86 Ill. Adm. Code 140.101. (This is a GIL.)

ST 99-0025-GIL 01/08/1999 Under the Service Occupation Tax Act, servicemen are taxed on tangible personal property

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

transferred incident to sales of service. See 86 Ill. Adm. Code 140.101. (This is a GIL.)

ST 99-0037-GIL 01/12/1999 Under the Service Occupation Tax Act, servicemen are taxed on tangible personal property transferred incident to sales of service. See 86 Ill. Adm. Code 140.101. (This is a GIL.)

ST 99-0059-GIL 02/05/1999 Under the Service Occupation Tax Act, servicemen are taxed on tangible personal property transferred incident to sales of service. See 86 Ill. Adm. Code 140.101. (This is a GIL.)

ST 99-0070-GIL 02/08/1999 Under the Service Occupation Tax Act, servicemen are taxed on tangible personal property transferred incident to sales of service. (This is a GIL.)

ST 99-0073-GIL 02/08/1999 Under the Service Occupation Tax Act, servicemen are taxed on tangible personal property transferred incident to sales of service. See 86 Ill. Adm. Code 140.101. (This is a GIL.)

ST 99-0094-GIL 03/15/1999 Under the Service Occupation Tax Act, servicemen are taxed on tangible personal property transferred incident to sales of service. See 86 Ill. Adm. Code 140.101. (This is a GIL.)

ST 99-0097-GIL 03/19/1999 The transfer of tangible personal property in conjunction with the provision of advertising services is generally subject to liability under the Service Occupation Tax Act. (This is a GIL.)

ST 99-0103-GIL 03/19/1999 Under the Service Occupation Tax Act, servicemen are taxed on tangible personal property transferred incident to sales of service. See 86 Ill. Adm. Code 140.101. (This is a GIL.)

## TAX RATE

ST 99-0060-GIL 02/05/1999 A retailer that knowingly make overcollections of tax from customers is guilty of a Class 4 felony. See 35 ILCS 105/14. (This is a GIL.)

ST 99-0062-GIL 02/05/1999 A retailer that knowingly makes

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

overcollections of tax from customers is guilty of a Class 4 felony. See 35 ILCS 105/14. (This is a GIL.)

## TELECOMMUNICATIONS EXCISE TAX

ST 99-0001-GIL 01/04/1999 Charges for "900 number" calls are specifically subject to Telecommunications Excise Tax. See 86 Ill. Adm. Code 495.100(h). (This is a GIL.)

ST 99-0026-GIL 01/08/1999 Generally, persons who provide subscribers access to the Internet and who do not, as part of that service, charge customers for the line or other transmission charges which are used to obtain access to the Internet, are not considered to be telecommunications retailers from these activities. See 86 Ill. Adm. Code 495.110. (This is a GIL.)

ST 99-0028-GIL 01/08/1999 The Telecommunications Excise Tax is imposed upon the act or privilege of originating or receiving intrastate or interstate telecommunications in Illinois at the rate of 7% of the gross charges for such telecommunications purchased at retail from retailers. (This is a GIL.)

ST 99-0042-GIL 01/27/1999 For purposes of the Telecommunications Excise Tax, "gross charges" includes the amount paid for the act or privilege of originating or receiving telecommunications in Illinois, and for all services and equipment provided in connection therewith by a retailer.

ST 99-0076-GIL 02/16/1999 The Telecommunications Excise Tax is imposed upon the act or privilege of originating or receiving intrastate or interstate telecommunications in Illinois at the rate of 7% of the gross charges for such telecommunications purchased at retail from retailers. See 35 ILCS 630/3. (This is a GIL.)

ST 99-0083-GIL 02/22/1999 The Telecommunications Excise Tax is imposed upon the act or privilege of originating or receiving intrastate or interstate telecommunications in Illinois at the rate of 7% of the gross charges for such telecommunications.



DEPARTMENT OF REVENUE  
NOTICE OF PUBLIC INFORMATION

ST 99-0101-GIL 03/19/1999 The Telecommunications Excise Tax is imposed upon the act or privilege of originating or receiving intrastate or interstate telecommunications in Illinois at the rate of 7% of the gross charges for such telecommunications purchased at retail from retailers. See 86 Ill. Adm. Code 495. (This is a GIL.)

DEPARTMENT OF REVENUE  
NOTICE OF PUBLIC INFORMATION

available for transfers between a divorced husband and wife. (This is a GIL.)

TEMPORARY STORAGE

ST 99-0008-GIL 01/04/1999 The temporary storage exemption provides that no use tax applies to the temporary storage, in this State, of tangible personal property which is acquired outside this State and which, subsequent to being brought into this State and stored here temporarily, is used solely outside this State. See 86 Ill. Adm. Code 150.310. (This is a GIL.)

TOBACCO PRODUCTS TAX ACT

ST 99-0038-GIL 01/12/1999 The Tobacco Products Tax Act is imposed upon the last distributor who sells tobacco products to a retailer or consumer in Illinois at the rate of 18% of the wholesale price of tobacco products sold or otherwise disposed of in Illinois. See 35 ILCS 143/10-1 et seq. (This is a GIL.)

ST 99-0115-GIL 03/25/1999 The Tobacco Products Tax is imposed upon the last distributor who sells tobacco products to a retailer or consumer in Illinois at the rate of 18% of the wholesale price of tobacco products sold or otherwise disposed of in this State.

USE TAX

ST 99-0029-GIL 01/08/1999 The Use Tax Act, 35 ILCS 105, imposes a tax upon the privilege of using in this State tangible personal property purchased at retail from a retailer. (This is a GIL.)

VEHICLE USE TAX

ST 99-0018-GIL 01/06/1999 Under the provisions of the Motor Vehicle Code (625 ILCS 5/3-1001), there are no exemptions

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 22, 1999

**NOTICES:** Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting.

It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules  
700 Stratton Office Building  
Springfield, Illinois 62706

**RULEMAKINGS SCHEDULED FOR JCAR REVIEW**

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

**PROPOSED RULEMAKINGS**Agriculture

1. Definitions (8 Ill Adm Code 20)  
-First Notice Published: 23 Ill Reg 3198 - 3/19/99  
-Expiration of Second Notice: 7/10/99
2. Animal Welfare Act (8 Ill Adm Code 25)  
-First Notice Published: 23 Ill Reg 3185 - 3/19/99  
-Expiration of Second Notice: 7/10/99
3. Livestock Auction Markets (8 Ill Adm Code 40)  
-First Notice Published: 23 Ill Reg 3229 - 3/19/99  
-Expiration of Second Notice: 7/10/99
4. Repeal of Marketing Center (Livestock) (8 Ill Adm Code 45)  
-First Notice Published: 23 Ill Reg 3238 - 3/19/99  
-Expiration of Second Notice: 7/10/99
5. Horsemeat (8 Ill Adm Code 70)

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 22, 1999

- First Notice Published: 23 Ill Reg 3220 - 3/19/99  
-Expiration of Second Notice: 7/10/99
6. Bovine Brucellosis (8 Ill Adm Code 75)  
-First Notice Published: 23 Ill Reg 3191 - 3/19/99  
-Expiration of Second Notice: 7/10/99
7. Illinois Bovidae and Cervidae Tuberculosis Eradication Act (8 Ill Adm Code 80)  
-First Notice Published: 23 Ill Reg 3224 - 3/19/99  
-Expiration of Second Notice: 7/10/99
8. Diseased Animals (8 Ill Adm Code 85)  
-First Notice Published: 23 Ill Reg 3205 - 3/19/99  
-Expiration of Second Notice: 7/10/99
9. Animal Diagnostic Laboratory Act (8 Ill Adm Code 110)  
-First Notice Published: 23 Ill Reg 3181 - 3/19/99  
-Expiration of Second Notice: 7/10/99
10. Land Application Authorization Program (8 Ill Adm Code 258)  
-First Notice Published: 23 Ill Reg 10927 - 6/26/98  
-Expiration of Second Notice: 7/4/99
11. Weights and Measures Act (8 Ill Adm Code 600)  
-First Notice Published: 23 Ill Reg 372 - 1/8/99  
-Expiration of Second Notice: 7/10/99
12. Livestock Dealer Licensing (68 Ill Adm Code 610)  
-First Notice Published: 23 Ill Reg 3234 - 3/19/99  
-Expiration of Second Notice: 7/10/99

Children and Family Services

13. Adoption Services for Children for Whom the Department of Children and Family Services Is Legally Responsible (89 Ill Adm Code 309)  
-First Notice Published: 23 Ill Reg 19309 - 10/30/98  
-Expiration of Second Notice: 7/15/99

Education

14. Calculation of Excess Cost Under Section 18-3 of the School Code (23 Ill Adm Code 140)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 22, 1999

- First Notice Published: 23 Ill Reg 2832 - 3/12/99
- Expiration of Second Notice: 7/16/99
15. School Technology Program (23 Ill Adm Code 575)  
-First Notice Published: 23 Ill Reg 2837 - 3/12/99
- Expiration of Second Notice: 7/8/99
- Environmental Protection Agency
16. Introduction and Definitions (35 Ill Adm Code 651)  
-First Notice Published: 23 Ill Reg 4142 - 4/9/99
- Expiration of Second Notice: 7/17/99
17. Permits (35 Ill Adm Code 652)  
-First Notice Published: 23 Ill Reg 4149 - 4/9/99
- Expiration of Second Notice: 7/17/99
- Gaming Board
18. Riverboat Gambling (86 Ill Adm Code 3000)  
-First Notice Published: 23 Ill Reg 3538 - 3/26/99
- Expiration of Second Notice: 7/10/99
- Human Services
19. Standards and Licensure Requirements for Community-Integrated Living Arrangements (59 Ill Adm Code 115)  
-First Notice Published: 22 Ill Reg 14526 - 8/14/98
- Expiration of Second Notice: 7/13/99
20. Temporary Assistance for Needy Families (89 Ill Adm Code 112)  
-First Notice Published: 23 Ill Reg 4586 - 4/23/99
- Expiration of Second Notice: 7/18/99
21. Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)  
-First Notice Published: 23 Ill Reg 3554 - 3/26/99
- Expiration of Second Notice: 7/18/99
22. Related Program Provisions (89 Ill Adm Code 117)  
-First Notice Published: 23 Ill Reg 3893 - 4/2/99
- Expiration of Second Notice: 7/18/99

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 22, 1999

23. Role of Residential Educational Facilities Operated by the Illinois Department of Human Services (89 Ill Adm Code 750)  
-First Notice Published: 22 Ill Reg 16783 - 9/25/98
- Expiration of Second Notice: 7/2/99
24. Definition of Terms (89 Ill Adm Code 751)  
-First Notice Published: 22 Ill Reg 16722 - 9/25/98
- Expiration of Second Notice: 7/2/99
25. Admission, Suspension, Expulsion and Discharge Procedures (89 Ill Adm Code 755)  
-First Notice Published: 22 Ill Reg 16700 - 9/25/98
- Expiration of Second Notice: 7/2/99
26. Repeal of Responsibility for Special Education (89 Ill Adm Code 760)  
-First Notice Published: 22 Ill Reg 16779 - 9/25/98
- Expiration of Second Notice: 7/2/99
27. The Establishment and Administration of Special Education (89 Ill Adm Code 765)  
-First Notice Published: 22 Ill Reg 16848 - 9/25/98
- Expiration of Second Notice: 7/2/99
28. Repeal of Special Education Instructional Program (89 Ill Adm Code 770)  
-First Notice Published: 9/25/98
- Expiration of Second Notice: 7/2/99
29. Repeal of Special Education Related Services (89 Ill Adm Code 775)  
-First Notice Published: 22 Ill Reg 16831 - 9/25/98
- Expiration of Second Notice: 7/2/99
30. Repeal of Vocational Programs (89 Ill Adm Code 780)  
-First Notice Published: 22 Ill Reg 16869 - 9/25/98
- Expiration of Second Notice: 7/2/99
31. Repeal of Home and Hospital Programs (89 Ill Adm Code 785)  
-First Notice Published: 22 Ill Reg 16732 - 9/25/98
- Expiration of Second Notice: 7/2/99
32. Repeal of State-Operated or Private Programs (89 Ill Adm Code 790)  
-First Notice Published: 22 Ill Reg 16841 - 9/25/98
- Expiration of Second Notice: 7/2/99

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 22, 1999

33. Identification, Evaluation, and Placement of Exceptional Children (89 Ill Adm Code 795)  
-First Notice Published: 22 Ill Reg 16735 - 9/25/98  
-Expiration of Second Notice: 7/2/99
34. Repeal of Impartial Due Process Hearing (89 Ill Adm Code 800)  
-First Notice Published: 22 Ill Reg 16749 - 9/25/98  
-Expiration of Second Notice: 7/2/99
35. Repeal of Surrogate Parents (89 Ill Adm Code 805)  
-First Notice Published: 22 Ill Reg 16844 - 9/25/98  
-Expiration of Second Notice: 7/2/99
36. Repeal of Special Education Personnel (89 Ill Adm Code 810)  
-First Notice Published: 22 Ill Reg 16826 - 9/25/98  
-Expiration of Second Notice: 7/2/99
37. Special Transportation (89 Ill Adm Code 815)  
-First Notice Published: 22 Ill Reg 16837 - 9/25/98  
-Expiration of Second Notice: 7/2/99
38. Repeal of Evaluation and Coordination of Special Education (89 Ill Adm Code 820)  
-First Notice Published: 22 Ill Reg 16727 - 9/25/98  
-Expiration of Second Notice: 7/2/99
39. Repeal of Definition of Terms (89 Ill Adm Code 825)  
-First Notice Published: 22 Ill Reg 16715 - 9/25/98  
-Expiration of Second Notice: 7/2/99
40. Rules of Conduct (89 Ill Adm Code 827)  
-First Notice Published: 22 Ill Reg 16792 - 9/25/98  
-Expiration of Second Notice: 7/2/99
41. Impartial Due Process Hearing (89 Ill Adm Code 828)  
-First Notice Published: 22 Ill Reg 16754 - 9/25/98  
-Expiration of Second Notice: 7/2/99
42. Sex Equity (89 Ill Adm Code 829)  
-First Notice Published: 22 Ill Reg 16809 - 9/25/98  
-Expiration of Second Notice: 7/2/99
43. Non-Academic Programs and Policies (89 Ill Adm Code 830)

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 22, 1999

- First Notice Published: 22 Ill Reg 16761 - 9/25/98  
-Expiration of Second Notice: 7/2/99
44. Therkelsen/Hansen College Loan Fund (89 Ill Adm Code 835)  
-First Notice Published: 22 Ill Reg 16863 - 9/25/98  
-Expiration of Second Notice: 7/2/99
- Natural Resources
45. Camping on Department of Natural Resources Properties (17 Ill Adm Code 130)  
-First Notice Published: 23 Ill Reg 4166 - 4/9/99  
-Expiration of Second Notice: 7/8/99
46. Disposition of Deer Accidentally Killed by a Motor Vehicle or Other Non-Hunting Methods (17 Ill Adm Code 750)  
-First Notice Published: 23 Ill Reg 3899 - 4/2/99  
-Expiration of Second Notice: 7/1/99
47. Sport Fishing Regulations for the Waters of Illinois (17 Ill Adm Code 810)  
-First Notice Published: 23 Ill Reg 3918 - 4/2/99  
-Expiration of Second Notice: 7/4/99
48. Dog Training on Department-Owned or -Managed Sites (17 Ill Adm Code 950)  
-First Notice Published: 23 Ill Reg 3904 - 4/2/99  
-Expiration of Second Notice: 7/1/99
49. Open Space Lands Acquisition and Development Grant Program (17 Ill Adm Code 3025)  
-First Notice Published: 23 Ill Reg 3910 - 4/2/99  
-Expiration of Second Notice: 7/1/99
- Public Aid
50. Hospital Services (89 Ill Adm Code 148)  
-First Notice Published: 23 Ill Reg 4176 - 4/9/99  
-Expiration of Second Notice: 7/11/99
- Public Health
51. Hospital Licensing Requirements (77 Ill Adm Code 250)



## JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 22, 1999

- First Notice Published: 23 Ill Reg 3306 - 3/19/99  
-Expiration of Second Notice: 7/10/99
52. Nursing Education Scholarships (77 Ill Adm Code 597)  
-First Notice Published: 22 Ill Reg 20537 - 11/30/98  
-Expiration of Second Notice: 7/10/99

Secretary of State

53. Literacy Grant Program (23 Ill Adm Code 3040)  
-First Notice Published: 23 Ill Reg 3931 - 4/2/99  
-Expiration of Second Notice: 7/1/99

Transportation

54. Repeal of Selection of Non-Architect-Engineering Consultant Firms (44 Ill Adm Code 635)  
-First Notice Published: 23 Ill Reg 3685 - 3/26/99  
-Expiration of Second Notice: 6/25/99
55. Repeal of Railroad Maintenance by Contract (44 Ill Adm Code 655)  
-First Notice Published: 23 Ill Reg 3675 - 3/26/99  
-Expiration of Second Notice: 6/25/99

56. Repeal of Highway Construction by Contract (44 Ill Adm Code 675)  
-First Notice Published: 23 Ill Reg 3664 - 3/26/99  
-Expiration of Second Notice: 6/25/99

57. Repeal of Airport Construction Contracts (44 Ill Adm Code 685)  
-First Notice Published: 23 Ill Reg 3617 - 3/26/99  
-Expiration of Second Notice: 6/25/99

58. Inspection Procedures for Special Education School Buses (92 Ill Adm Code 445)  
-First Notice Published: 23 Ill Reg 3933 - 4/2/99  
-Expiration of Second Notice: 7/4/99

**EMERGENCY AND TEMPORARY RULEMAKINGS**Capital Development Board

59. Standards for Award of Grants: School Construction Program (71 Ill Adm Code 40) (Emergency)

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
JUNE 22, 1999

-Notice Published: 23 Ill Reg 6521 - 5/28/99

Central Management Services

60. Pay Plan (80 Ill Adm Code 310) (Emergency)  
-Notice Published: 23 Ill Reg 6533 - 5/28/99

Educational Facilities Authority

61. Functions and Planning Program (23 Ill Adm Code 2310) (Emergency)  
-Notice Published: 23 Ill Reg 5877 - 5/14/99

Human Services

62. Temporary Assistance for Needy Families (89 Ill Adm Code 112) (Emergency)  
-Notice Published: 23 Ill Reg 5881 - 5/14/99
63. Assessment for Determining Eligibility and Rehabilitation Needs (89 Ill Adm Code 553) (Emergency)  
-Notice Published: 23 Ill Reg 6544 - 5/28/99

Public Health

64. Hospice Programs (77 Ill Adm Code 280) (Emergency)  
-Notice Published: 23 Ill Reg 6913 - 6/4/99
65. Illinois Swimming Pool and Bathing Beach Code (77 Ill Adm Code 820) (Emergency)  
-Notice Published: 23 Ill Reg 6551 - 5/28/99

Secretary of State

66. Standard Procurement (44 Ill Adm Code 2000) (Emergency)  
-Notice Published: 23 Ill Reg 5911 - 5/14/99

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of June 1, 1999 through June 7, 1999 and have been scheduled for review by the Committee at its June 24, 1999 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	JCAR Notice	Meeting
7/15/99	Department of Children and Family Services, Adoption Services for Children for Whom the Department of Children and Family Services is Legally Responsible (89 Ill Adm Code 309)	10/30/98 22 Ill Reg 19309	6/22/99
7/16/99	State Board of Education, Calculation of Excess Cost Under Section 18-3 of the School Code (23 Ill Adm Code 140)	3/12/99 23 Ill Reg 2832	6/22/99
7/17/99	Environmental Protection Agency, Introduction and Definitions (35 Ill Adm Code 651)	4/9/99 23 Ill Reg 4142	6/22/99
7/17/99	Environmental Protection Agency, Permits (35 Ill Adm Code 652)	4/9/99 23 Ill Reg 4149	6/22/99
7/18/99	Department of Human Services, Related Program Provisions (89 Ill Adm Code 117)	4/2/99 23 Ill Reg 3893	6/22/99
7/18/99	Department of Human Services, Temporary Assistance for Needy Families (89 Ill Adm Code 112)	4/23/99 23 Ill Reg 4586	6/22/99
7/18/99	Department of Human Services, Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)	3/26/99 23 Ill Reg 3554	6/22/99

## VOL. 23, Issue 25 ISSUES INDEX

June 18, 1999

Rules acted upon during the calendar quarter from Issue 17 through Issue 29 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 2500 published in Issue 1 will be listed as 50-2500-1. The letter "R" designates a rule that is being repealed. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jnaale@ccgate.sos.state.il.us (Internet address).

PROPOSED	
80-310-18,19	68-1140-20
2-560-18	68-1175-20
14-200-23	71-40-22
80-1540-22	68-1200-25
17-520-17	77-280-23
86-130-18	68-1310-20
17-550-17	77-820-22
86-710-24	68-1520-20
17-570-17	80-310-22
89-112-17,20	89-112-20
89-117-19	77-820-21
17-590-21	77-830-19
17-690-17	77-830-19
17-715-17	89-300-19
17-720-17	77-870-19
17-730-17	77-905-17
17-740-17	89-553-22
17-1523-22	89-682-21
17-2080-17	80-310-25
23-130-25	80-2700-21
23-375-19	83-451-19
2-375-22	86-750-20
2-560-20	89-10-24
2-1025R-17	89-112-24,25
2-1076-24	89-113-
2-1175R-18	19-21,22,24
2-1650-22	89-114-
2-3000-23	21-22,24
2-3002-23	89-117-18
2-3002-23	89-140-20,25
2-3002-23	89-146-20
2-3002-23	89-148-20,25
2-3002-23	89-240-20
2-5200-20	89-312-23
2-6000-19	89-328-18
35-724-17	89-376-23
35-725-17	89-378-20
35-726-17	17-670-23
35-728-17	89-676-22
35-733-17	17-1010-19
44-1300-18	89-677-17
44-2000-20	17-2030-23
47-360-17	17-2520-23
50-916-25	20-106-20
50-2008-23	23-260-25
56-350-25	92-386-17
59-101-17	92-390-17
59-112-17	92-391-17
59-117-19	92-392-17
62-300-21	92-393-17
68-1300-22	92-395-17
68-1340-25	92-396-17
71-40-22	35-808-23
77-250-23	35-809-23
77-280-23	35-811-23
77-675-17	44-1-25
	44-2600-20
	50-926-20
	44-2000-20
	50-5421-20

## EMERGENCY

23-2310-20  
44-1-20  
44-2000-20



**ILLINOIS REGISTER**  
**ADMINISTRATIVE CODE ORDER FORM**

PLEASE USE THIS FORM FOR ALL ORDERS OR TO NOTIFY US OF A CHANGE OF ADDRESS. ALL ORDERS MUST BE PAID IN ADVANCE BY CHECK, MONEY ORDER, VISA, MASTER CARD OR DISCOVER CARD. CHECKS AND MONEY ORDERS MUST BE PAYABLE TO THE "SECRETARY OF STATE".

MICROFICHE SETS OF THE ILLINOIS REGISTER @\$200.00 PER SET.

1977-1978 1979 1980 1981 1982 1983 1984 1985 1986  
1987 1988 1989 1990 1991 1992 1993 1994 1995 1996

CUMULATIVE INDICES TO THE ILLINOIS REGISTER @\$1.00 EACH.

1981 1982 1983 1984 1985 1986 1987 1988 1989

SECTIONS AFFECTED INDICES TO THE ILLINOIS REGISTER @\$1.00 EACH.

1984 1985 1986 1987 1988 1989

CUMULATIVE/SECTIONS AFFECTED INDICES @\$5.00 EACH.

1990 1991 1992 1993 1994 1995 1996

BACK ISSUES OF THE ILLINOIS REGISTER (CURRENT YEAR ONLY) @\$10.00 EACH.

(VOLUME #)

(ISSUE #)

(ISSUE DATE)

ANNUAL SUBSCRIPTION TO THE ILLINOIS REGISTER @\$290.00 (52 ISSUES)

NEW RENEWAL

ANNUAL SUBSCRIPTION TO THE ILLINOIS ADMINISTRATIVE CODE ON CD-ROM; COMPLETELY UPDATED EDITION PUBLISHED QUARTERLY @\$290.00 FOR 4 QUARTERLY EDITIONS

TOTAL AMOUNT OF ORDER: \$

CHECK VISA MC DISCOVER CARD#:

EXPIRATION DATE: SIGNATURE:

(IF CHANGE OF ADDRESS, PLEASE LIST BOTH THE OLD AND NEW ADDRESS:

(NAME, PLEASE TYPE OR PRINT)

(ADDRESS)

(CITY, STATE, ZIP CODE AND TELEPHONE #)

MAIL TO:

JESSE WHITE

OR FAX: (217) 854-0308

SECRETARY OF STATE

INDEX DEPARTMENT

111 E. MONROE

SPRINGFIELD, IL 62756









HECKMAN

BINDERY, INC.

Bound-To-Picase®

2000

N. MANCHESTER, INDIANA 46962



